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CONFIDENTIAL
FILED IN SEALED ENVELOPE PURSUANT TO PROTECTIVE ORDER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Baxter International Inc.,
Opposer,

v.

Inviro Medical Devices Ltd.,
Applicant.

Opposition No. 91150298

02-05-2003

U.S. Patent & TMO/TM Mail Rpt. Dt. #72

INVIRO'S REPLY TO BAXTER'S OPPOSITION TO
INVIRO'S MOTION FOR SUMMARY JUDGMENT

Inviro files this reply to Baxter's opposition to Inviro's motion for summary judgment.

Inviro intends to file a separate opposition to Baxter's cross motion.

Before dealing with the substance of Baxter's naked licensing of the INTERLINK mark, it must be noted that Baxter has conceded Inviro's motion to amend its Answer to add a counterclaim. More specifically, on December 10, 2002, Inviro moved to amend its Answer to conform to the discovery evidence. The discovery evidence revealed that Baxter had "nakedly" licensed its INTERLINK trademark to various third parties. As a result, Inviro moved to amend its Answer to seek the cancellation of the INTERLINK trademark registrations. In January 2003, Baxter verbally conceded that motion. Baxter's concession permits the consensual entry of Inviro's petition to cancel the INTERLINK registrations because of naked licensing -- which is the subject of the pending summary judgment motion, and which has been the target of Inviro's discovery for many months (as confirmed in the attached Byers Declaration).

Turning to the substance of Inviro's motion for summary judgment, the evidence continues to show that Baxter licensed its INTERLINK trademark to multiple parties and failed to exert any

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quality control over the licensees' many different products over the years. Baxter's opposition papers do not assist the Board in understanding these facts. Instead, Baxter's opposition does two things: (1) it attempts to deny that Baxter ever knew that Inviro was asking for naked licensing information, including information on Baxter's quality control actions, and (2) it attempts to conceal Baxter's naked licensing with opposition papers that are long on words, but short on substance. In fact, Baxter's opposition papers are, courteously stated, misleading and inaccurate.

As demonstrated below, and in the attached Byers Declaration, Inviro repeatedly asked Baxter for quality control information, and Baxter failed to provide any such information. As further demonstrated below, Baxter's opposition papers conceal its licensees' usage of the INTERLINK mark and Baxter's failure to control the quality of the licensees' products.

A. Inviro Repeatedly Requested Naked Licensing Information, Including Quality Control Information

Baxter's opposition specifically states that "Inviro did not request production of quality control documentation." Baxter opp. at p. 6. Nothing could be further from the truth. As confirmed by the following chronology and the attached Byers Declaration and exhibits, Baxter has long known what Inviro was seeking during discovery.

On March 27, 2002, Inviro served discovery on Baxter that sought, *inter alia*, information related to Baxter's licensing of its trademarks. Byers Declaration at para. 4. See also Inviro's Exhibits A and B (interrogatory 6 and document request 31) to its motion for summary judgment.

On approximately July 15, 2002, Inviro's counsel had a telephone conversation with Elizabeth Diskin, counsel for Baxter. At that time, Inviro's counsel specifically stated that Inviro was evaluating the naked licensing of Baxter's asserted trademarks and was looking forward to receipt of Baxter's responses and documents to Inviro's pending discovery (which Baxter had not

yet served). Ms. Diskin never stated any objection to producing this Baxter information. Byers Declaration at para. 5.

On July 27, 2002, Inviro's counsel sent a letter to Baxter's counsel, Lynn Sullivan and Elizabeth Diskin, that repeated Inviro's request, i.e., it specifically stated Inviro wanted to review Baxter's "**naked licensing information**." Byers Declaration at para. 6 and Exhibit 1.

On August 5, 2002, Elizabeth Diskin sent Inviro's counsel a letter with Baxter's discovery responses. Byers Declaration at para. 7 and Exhibit 2. Ms. Diskin's letter stated that Baxter had made "every attempt to provide full and complete answers" to Inviro's discovery. In closing, the letter also confirmed that Baxter would "produce the remaining documents and information" after entry of a protective order. Id.

On approximately August 19, 2002, Inviro's counsel telephoned Ms. Diskin and again noted that Inviro was considering the filing of a possible cancellation petition because of Baxter's **naked licensing** of its asserted trademark. Byers Declaration at para. 8.

On August 23, 2002, Inviro's counsel sent a letter to Ms. Diskin stating that "...we are still awaiting Baxter's production of its alleged trademark licensing documents, including documents concerning Baxter's **quality control** actions." Byers Declaration at para. 9 and Exhibit 3. Inviro counsel's letter further stated that without that information, Inviro would have no choice but to seek cancellation of Baxter's trademarks on the grounds of "**naked licensing**." Id.

On August 26, 2002, Ms. Diskin sent Inviro's counsel a response letter. Byers Declaration at para. 10 and Exhibit 4. Ms. Diskin's letter stated that Baxter was "fully prepared to produce those documents as well as all other confidential documents once the parties have agreed to a Protective Order in writing." Again, Ms. Diskin did not object to producing Baxter's information on its licensing activities, including its quality control information that Inviro had specifically requested. Id.

On October 11, 2002, Ms. Diskin sent Inviro a letter stating that Baxter "will forward the confidential documents at issue." Byers Declaration at para. 11 and Exhibit 5. Again, Ms. Diskin did not object to producing Baxter's information on its licensing activities, including its quality control information that Inviro had specifically requested. Id.

On October 14, 2002, Inviro's counsel sent a letter to Ms. Sullivan and Ms. Diskin stating, "Please provide copies of Baxter's confidential documents without further delay." Byers Declaration at para. 12 and Exhibit 6.

On October 17, 2002, Inviro's counsel received Baxter's confidential documents. Baxter's document production on that date and subsequent dates did not contain any quality control documentation. Byers Declaration at para. 13.

On November 15, 2002, Inviro's counsel had a telephone conference with Ms. Sullivan. The point of that telephone conference was to confirm whether Baxter had produced all of its confidential information concerning its policing activities and its licensing activities -- including its quality control information. Inviro's counsel specifically asked Ms. Sullivan for confirmation that Baxter had produced all of its actual licenses and quality control information concerning the INTERLINK trademark. (Baxter's withholding of certain confidential information was one of two main discovery issues at the time. The second discovery issue related to Baxter's withholding of information on Baxter's other "LINK" trademarks.) In response to Inviro's request for confirmation that Baxter had produced all of its actual licenses and quality control information concerning the INTERLINK trademark, Ms. Sullivan stated that Baxter had produced all of its confidential information and was not withholding any of the information that Inviro had requested (other than information on Baxter's other LINK trademarks). Ms. Sullivan stated that she would confirm that Baxter had produced all of the confidential information that Inviro had requested, and, if she was wrong, she would get back to Inviro's counsel. Ms. Sullivan did not object to producing Baxter's

information concerning its licensing – including the actual licenses and quality control information. Ms. Sullivan never got back to Inviro's counsel by phone or letter. This meant that Baxter had produced all of its licensing information – including actual licenses and any quality control information. Byers Declaration at para. 14.

Five days later, on November 20, 2002, without hearing anything further from Ms. Sullivan, Inviro's counsel sent a letter to Ms. Sullivan to memorialize their specific telephone conversation on November 15. Byers Declaration at para. 15 and Exhibit 7. This letter thanked Ms. Sullivan for confirming by telephone on November 15 that:

"Baxter has produced all of its policing and licensing information (including actual licenses and quality control information) concerning the INTERLINK trademark. As confirmed on the phone, this renders moot our concern about Baxter's withholding of information on these topics."

This letter was mailed on November 20 -- the date indicated on the letter -- contrary to the accusations in Ms. Sullivan's declaration filed with Baxter's opposition papers. *Id.* Neither Inviro's counsel nor Inviro had any reason to withhold mailing a letter on this critical issue -- which Inviro's counsel had discussed with Baxter's counsel on numerous occasions, as confirmed by the Byers Declaration and attached Exhibits. Stated another way, there was no reason for Inviro or its counsel to delay the mailing of a letter that further confirmed Baxter's production of all licensing documents (including quality control documents) which Inviro had been requesting for many months. *Id.*

Ms. Sullivan's Declaration contends that her firm did not receive Inviro's November 20 letter until December 10, 2002. Inviro respectfully questions the contention that her firm did not receive the letter until December 10. Even if Baxter's counsel did not receive the letter until that date, the fact remains that Baxter's counsel failed to respond to the letter on that date and later. Indeed, Inviro's summary judgment motion papers were not received by Baxter's counsel until several days

later. In the interim, Baxter's counsel did not call or write to dispute any of the contents of Inviro's November 20 letter.

In summary, Inviro repeatedly sought Baxter's quality control documents during discovery. As confirmed in Inviro's summary judgment motion and below, Baxter has failed to provide any quality control documents.

**B. Baxter Has Licensed Its Trademark To Numerous Entities,
Without Any Exerted Quality Control By Baxter**

As set forth in Inviro's summary judgment motion, Baxter licensed the INTERLINK trademark to at least the following entities:

- Becton Dickinson & Co.,
- Sanofi-Winthrop,
- The West Company, Inc.,
- IMS,
- Graseby/3M,
- Venetec, Inc. and
- Ivion Corp.

See Exhibit A, response to interrogatory 6, and Exhibit C to Inviro's summary judgment motion. Most of these entities used the INTERLINK trademark. Baxter failed to exert any quality control over the products of these entities.

Baxter's opposition papers attempt to confuse the Board into thinking that Baxter did not license its trademark to these entities or many of these entities. Baxter's document production to date confirms otherwise -- and highlights the misleading manner in which Baxter is dealing with the facts. For example, Baxter's opposition (at pages 5-6 etc.) and the Jay Nichols declaration (Ex. 1, paras. 16, 22) state that Baxter's contracts with IMS and West Co. were never implemented and that

Baxter's agreement with Sanofi-Winthrop has been inactive since 1993. The following shows otherwise.

First, with respect to Sanofi-Winthrop, this company was utilizing the INTERLINK trademark on its products in 1994 and 1995 and possibly later. See, for example, Byers Declaration at para. 17 and Exhibit 10 (pages 1, 8-9 and 12 of that document) and Exhibit 11 (pages numbered 1, 23 and 24 in that document). Those documents are INTERLINK product catalogs. Those documents specifically identify Sanofi-Winthrop products under the INTERLINK mark in 1994 and 1995. Those documents specifically inform consumers to contact Sanofi-Winthrop to order those INTERLINK products. Baxter has not provided any documents showing any quality control over those INTERLINK products. This constitutes naked licensing.

With respect to IMS and West Co., which Baxter contends never sold products under the INTERLINK mark, various documents directly contradict Baxter's contention. Indeed, documents clearly show that those companies have sold products under the INTERLINK mark, and Baxter has not produced any quality control information related to those products. See, for example, Byers Declaration at para. 17 and the various IMS INTERLINK products identified in the product catalogs attached as Exhibit 10 (pages 1, 10 and 12), Exhibit 11 (pages numbered 1 and 25), and Exhibit 17. See also Exhibit 16, which identifies the INTERLINK trademark products and the companies Becton Dickinson, Sanofi Winthrop and IMS. See also Exhibit 18, which identifies the West Co.'s INTERLINK stopper product. As specifically stated in that document, "The INTERLINK Stopper is currently available in a 13mm serum configuration and can be manufactured in a broad range of West elastomer formulations." Again, all of these documents contradict Baxter's statements to the Board and confirm the lack of Baxter's quality control. This merits cancellation of the INTERLINK registrations due to rampant naked licensing over the years.

With respect to Becton Dickinson, it appears that Baxter's opposition papers acknowledge this company's licensing of the INTERLINK mark. However, Baxter has not acknowledged the extent of INTERLINK trademark usage by Becton Dickinson over the past ten years, and Baxter has not produced documentation showing its quality control over all these Becton Dickinson products during that extended time period. In this regard, Becton Dickinson has for many years produced many products bearing the INTERLINK mark. See, for example, Byers Declaration at para. 17 and the various products shown in Exhibits 8-9, and the large number of Becton Dickinson products listed in product catalogs from 1994, 1995 and 1999 attached as Exhibits 10-15. In addition, attention is directed to the plethora of Becton Dickinson INTERLINK products currently advertised on its website. Byers Declaration at para. 18 and Exhibit 20. Again, Baxter's opposition papers fail to produce documents showing that Baxter has exerted any quality control over these different products during the past decade.

In summary, at least the following entities have been licensed (or allegedly licensed) and have used the INTERLINK mark over the years with their products:

- Becton Dickinson (see the plethora of products identified in Exhibit 20 to the Byers Declaration, at least ten different products attached as Exhibits 8-9, a number of products listed in product catalogs from 1994, 1995 and 1999 attached as Exhibits 10 – 15, and as specifically acknowledged by Baxter in Exhibit 16).
- Sanofi Winthrop (see the various products identified in the product catalogs attached to the Byers Declaration as Exhibit 10 (pages 1, 8-9 and 12 of that exhibit) and Exhibit 11 (pages numbered 1, 23 and 24 in that exhibit), and as specifically acknowledged by Baxter in Exhibit 16).

- IMS (see the various products identified in the product catalogs attached to the Byers Declaration as Exhibit 10 (pages 1, 10 and 12 of that exhibit) and Exhibit 11 (pages numbered 1 and 25 in that exhibit), the various products identified in the product catalog attached as Exhibit 17, and as specifically acknowledged by Baxter in Exhibit 16)
- The West Company (see the product identified in Exhibit 18 attached to the Byers Declaration)
- 3M (see Baxter's admission made in the second full paragraph on page 23 of its opposition brief)
- Venetec (see Baxter's admission made in the second full paragraph on page 23 of its opposition brief)
- Duke University (see Exhibit 19 to the Byers Declaration)

All of these cited documents were produced by Baxter during discovery and show third party trademark usage of the INTERLINK trademark. However, not one of the documents attached to Baxter's opposition brief document Baxter's control of the quality of the third party products. At most, Baxter's opposition documents show:

- a letter to a supplier about materials that Baxter uses to manufacture products (Exhibit A to Nichols Declaration),
- a blank supplier notice of change document (Exhibit B to Nichols Declaration),
- a 1993 material specification document (Exhibit C to Nichols Declaration),
- a supplier questionnaire (Exhibit D to Nichols Declaration), and
- some review of labels - but not the underlying product (Exhibit A to Kruk Declaration).

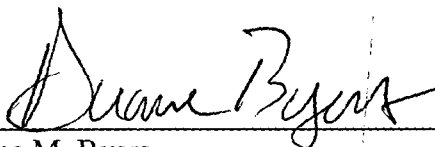
Two of Baxter's declarations do not include any documentary support. It is highly noteworthy that not one of Baxter's declarations comes from a licensee. Instead, they are merely self-serving Baxter declarations. These declarations and documents do not show any Baxter quality control over the third party products identified in the documents attached to the Byers Declaration.

In summary, Baxter has licensed multiple entities that have used the INTERLINK trademark on a plethora of products during various times over the last decade. Inviro has repeatedly questioned Baxter's naked licensing and quality control of its licensees' products from the outset. During discovery, Baxter failed to produce any quality control documentation. Baxter's belated documentation effort in its opposition papers falls well short of the mark. Accordingly, Inviro respectfully requests that the Board grant its motion for summary judgment and cancel the INTERLINK registrations in view of Baxter's naked licensing to multiple parties over the years for various products.

Respectfully submitted,

Date:

2-3-2003



Duane M. Byers
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1100 North Glebe Road, Suite 800
Arlington, VA 22201-4714
Telephone 703-816-4009

Attorneys for Applicant,
Inviro Medical Devices Ltd.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of INVIRO'S REPLY TO BAXTER'S OPPOSITION TO INVIRO'S MOTION FOR SUMMARY JUDGMENT (along with the Declaration of Duane M. Byers and Exhibits) was served this 3 day of Feb., 2003, via first class mail, postage prepaid, on counsel for Opposer.

Lynn A. Sullivan
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza - Suite 4900
Chicago, Illinois 60601

Duane Byers

CERTIFICATE OF MAILING

I hereby certify that a sealed copy of INVIRO'S REPLY TO BAXTER'S OPPOSITION TO INVIRO'S MOTION FOR SUMMARY JUDGMENT (along with the Declaration of Duane M. Byers and Exhibits) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Box TTAB - No Fee, Arlington, VA 22202-3513 on February 3, 2003.

Date: 2-3-2003

Duane Byers

Duane M. Byers

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CONFIDENTIAL
FILED IN SEALED ENVELOPE PURSUANT TO PROTECTIVE ORDER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

[REDACTED]

Baxter International Inc.,)
)
Opposer,)
)
v.)
)
Inviro Medical Devices, Ltd.,)
)
Applicant.)

02-05-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

Opposition No. 91150298

DECLARATION OF DUANE M. BYERS

I, Duane M. Byers, declare as follows.

1. I am a shareholder with the firm of Nixon & Vanderhye P.C. and am counsel for Inviro Medical Devices Ltd. ("Inviro") in the subject opposition.

2. I have read the Baxter opposition of January 14, 2003, filed in response to Inviro's motion for summary judgment. In addition, I have read the documents filed in support by Baxter, including the Declaration of Lynn A. Sullivan dated January 14, 2003. The following statements and attached documents dispute and contradict a number of the statements made in Baxter's opposition and Ms. Sullivan's Declaration.

3. The following chronology sets forth: (a) Inviro's repeated requests for information concerning Baxter's naked licensing of the INTERLINK trademark, including requests for quality control information, and (b) some of Inviro's assertions that Baxter has nakedly licensed the INTERLINK trademark.

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4. On March 27, 2002, Inviro served discovery on Baxter that sought, *inter alia*, information related to Baxter's licensing of its trademarks. See Inviro's Exhibits A and B (interrogatory 6 and document request 31) to its motion for summary judgment filed on December 10, 2002.

5. On approximately July 15, 2002, I had a telephone conversation with Elizabeth Diskin, counsel for Baxter. At that time, I specifically stated that Inviro was evaluating the naked licensing of Baxter's asserted trademarks and was looking forward to receipt of Baxter's responses/documents to Inviro's pending discovery (which Baxter had not yet served). Ms. Diskin never stated any objection to producing this requested information.

6. On July 27, 2002, I sent a letter to Lynn Sullivan and Elizabeth Diskin that repeated Inviro's request, i.e., it specifically stated Inviro wanted to review Baxter's "naked licensing information." Exhibit 1.

7. On August 5, 2002, Elizabeth Diskin sent me a letter with Baxter's discovery responses. Exhibit 2. Ms. Diskin's letter stated that Baxter had made "every attempt to provide full and complete answers" to Inviro's discovery. In closing, the letter also confirmed that Baxter would "produce the remaining documents and information" after entry of a protective order.

8. On approximately August 19, 2002, I telephoned Ms. Diskin and again noted that Inviro was considering the filing of a possible Cancellation Petition because of Baxter's naked licensing of its asserted trademark and the lack of information provided to date.

9. On August 23, 2002, I sent a letter to Ms. Diskin stating that "...we are still awaiting Baxter's production of its alleged trademark licensing documents, including documents concerning Baxter's quality control actions." Exhibit 3. My letter further stated that without that information,

Inviro would have no choice but to seek cancellation of Baxter's trademarks on the grounds of **"naked licensing."**

10. On August 26, 2002, Ms. Diskin sent me a response letter. Exhibit 4. Ms. Diskin's letter stated that Baxter was "fully prepared to produce those documents as well as all other confidential documents once the parties have agreed to a Protective Order in writing." Again, Ms. Diskin did not object to producing Baxter's information on its licensing activities, including its quality control information that we had specifically requested.

11. On October 11, 2002, Ms. Diskin sent me a letter stating that Baxter "will forward the confidential documents at issue." Exhibit 5. Again, Ms. Diskin did not object to producing Baxter's information on its licensing activities, including its quality control information that we had specifically requested.

12. On October 14, 2002, I sent a letter to Ms. Sullivan and Ms. Diskin stating, "Please provide copies of Baxter's confidential documents without further delay." Exhibit 6.

13. On October 17, 2002, I received Baxter's confidential documents. Baxter's document production on that date and subsequent dates did not contain any quality control documentation.

14. On November 15, 2002, I had a telephone conference with Ms. Sullivan. The point of that telephone conference was to confirm whether Baxter had produced all of its confidential information concerning its policing activities and its licensing activities -- including its **quality control** information. I specifically asked for confirmation that Baxter had produced all of its actual licenses and **quality control** information concerning the INTERLINK trademark -- in line with my previous written request of August 23. (Baxter's withholding of certain confidential information, including its licensing activity information -- actual licenses and quality control information -- was

one of two main discovery issues at the time. The other discovery issue related to Baxter's withholding of information on other Baxter "LINK" trademarks – an issue that the parties have submitted to the U.S. Trademark Trial and Appeal Board by way of a Motion to Compel.) In response to my request for confirmation that Baxter had produced all of its confidential information concerning its policing activities and its licensing activities -- including its quality control information, Ms. Sullivan stated that Baxter had produced all of its confidential information and was not withholding any of the information that Inviro had requested (other than information on Baxter's other LINK trademarks, i.e., the issue that was the subject of a Motion to Compel). Ms. Sullivan stated that she would confirm that Baxter had produced all of the confidential information that we had requested, and, if she was wrong, she would get back to me. During the phone conversation, Ms. Sullivan did not object to producing Baxter's information concerning its licensing activities – including the actual licenses and quality control information. Ms. Sullivan never got back to me by phone or letter. This meant that Baxter had produced all of its licensing information -- including actual licenses and quality control information.

15. Five days later, on November 20, 2002, without hearing anything further from Ms. Sullivan, I sent a letter to Ms. Sullivan to memorialize our telephone conversation. Exhibit 7. This letter thanked Ms. Sullivan for confirming by telephone on November 15 that:

"Baxter has produced all of its policing and licensing information (including actual licenses and quality control information) concerning the INTERLINK trademark.

As confirmed on the phone, this renders moot our concern about Baxter's withholding of information on these topics."

Contrary to Ms. Sullivan's accusations in her declaration, this letter was mailed on November 20 -- the date indicated on the letter. Neither I nor Inviro had any reason to withhold mailing a letter on

this critical issue -- which I had discussed with Baxter's counsel on numerous occasions, as confirmed by the foregoing paragraphs and attached Exhibits. Stated another way, there is no reason for me or my firm to delay the mailing of a letter that further confirmed Baxter's production of all licensing information (including quality control documents) which Inviro had been requesting for many months.

16. Ms. Sullivan's declaration contends that her firm did not receive my November 20 letter until December 10, 2002. I question the contention that her firm did not receive the letter until December 10. Even if she did not receive the letter until that date, she failed to respond to the letter on that date and later. Indeed, Inviro's summary judgment motion papers were not received by her until several days after December 10. In the interim, Baxter's counsel did not call or write to dispute any of the contents of my November 20 letter.

17. In addition to the trademark licenses contained in Exhibit C to Inviro's summary judgment motion, Baxter has produced the attached documents (Exhibits 8-19) that confirm at least the following entities have been licensed and have used the INTERLINK mark over the years:

- Becton Dickinson -- (see at least ten different INTERLINK products attached as Exhibits 8-9, a number of INTERLINK products listed in product catalogs from 1994, 1995 and 1999 attached as Exhibits 10-15, and as acknowledged in Exhibit 16 -- which is a portion of an INTERLINK slide show by Baxter personnel).¹
- Sanofi Winthrop -- (see the various INTERLINK products identified in the product catalogs attached as Exhibit 10 (pages 1, 8-9 and 12 of that exhibit) and Exhibit 11 (pages numbered 1, 23 and 24 in that exhibit), as acknowledged in

Exhibit 16, and see Baxter's admission made in the second full paragraph on page 23 of its opposition brief).

- IMS -- (see the various INTERLINK products identified in the product catalogs attached as Exhibit 10 (pages 1, 10 and 12 of that exhibit) and Exhibit 11 (pages numbered 1 and 25 in that exhibit), the various INTERLINK products identified in the product catalog attached as Exhibit 17, and as acknowledged in Exhibit 16)
- The West Company -- (see the INTERLINK product identified in Exhibit 18)
- 3M -- (see Baxter's admission made in the second full paragraph on page 23 of its opposition brief)
- Venetec -- (see Baxter's admission made in the second full paragraph on page 23 of its opposition brief)
- Duke University -- (see the INTERLINK products identified in Exhibit 19)

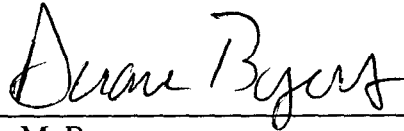
18. Baxter has not produced (during discovery or with its opposition brief) any documents showing quality control of the products made by the foregoing entities. Nor has Baxter produced any quality control information on the plethora of INTERLINK trademarked products found on Becton Dickinson's recent website -- see Exhibit 20, which is a copy of a portion of Becton Dickinson's website dated February 3, 2002.

¹ Baxter has not produced all product catalogs relevant to the INTERLINK trademark and its licensees' sales of products bearing the INTERLINK trademark.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Date: 2-3-2003

A handwritten signature in cursive script, reading "Duane Byers", written over a horizontal line.

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July 27, 2002

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*Protected Communication Under
Rule 408, Federal Rules of Evidence*

Subject: U.S. Trademark Opposition
Baxter v. Inviro
Mark: ULTRALINK
Your ref: 213453
Our ref: 968-154

Dear Lynn & Elizabeth:

On July 23, 2002, we received your Motion for Leave to Amend the Notice of Opposition in the subject case. Your filing was a surprise, as confirmed by our latest communications.

As recently stated, we are in the process of evaluating your proposed amendment and are awaiting your discovery answers and documents, and information from the files of the USPTO, so that we can make an informed decision whether to agree to the proposed amendment. As you can appreciate, we want to make an informed decision, not an uninformed decision. As a result, and as recently stated, we suggested that you not seek to amend your pleadings until after we had a chance to review Baxter's information and the USPTO's information and after we had a chance to discuss the matter with you in an informed manner. Your motion did not inform the Trademark Trial and Appeal Board of any of this information or our concerns or suggestions.

In view of what has transpired, and the lack of any Baxter discovery responses or documents to date, we request that you withdraw your motion until we have had a chance to review the relevant Baxter and USPTO information and discuss things with you in an informed fashion. If you do not withdraw your motion until after we have had a chance to review the stated and requested information from you (including, *inter alia*, naked licensing information, policing information, etc.) and from the USPTO, and to discuss the matter with you (per normal practice in an opposition proceeding), we will be forced to inform the Board of your lack of candor and your apparent tactics.

As a separate matter, we look forward to your discovery responses and documents. With respect to confidential documents, I understand from Elizabeth's telephone message to me that she has agreed that the parties will be exchanging confidential documents on an Attorney's Eyes Only basis.

July 27, 2002
Page 2

If you have any questions, please feel free to contact me.

Very truly yours,

NIXON & VANDERHYE P.C.

A handwritten signature in black ink, appearing to be 'D. Byers', written over a horizontal line.

Duane M. Byers

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MICHAEL DAVID*

August 5, 2002

Via Federal Express

Duane M. Byers, Esq.
NIXON & VANDERHYE P.C.
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714

**Re: Baxter International vs. Inviro Medical Devices Ltd.
Opposition No. 91150298
Our Reference: 213453**

Dear Mr. Byers:

Pursuant to my voice mail message to you last Thursday, enclosed herewith are our responses to your Interrogatories and Production Requests. We have made every attempt to provide full and complete answers, though due to the size of our client and the numerous individuals and departments which can potentially provide information, we are continuing our discovery investigation and reserve the right to supplement our responses, should we learn more information.

You will note that we are deferring responses to certain inquiries and requests until a protective order is put in place to protect our client's proprietary information. Enclosed herewith is a proposed protective order. Please let us know if you have any comments or changes. Otherwise, we can submit a consented motion for entry of the Protective Order

2

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(ADMITTED IN VIRGINIA ONLY)

7-5-02 11:32 AM

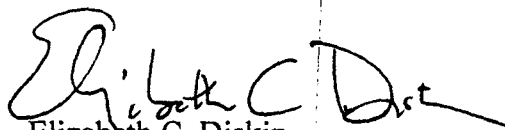
Duane M. Byers, Esq.
August 5, 2002
Page 2

with the TTAB, and upon its entry, we will produce the remaining documents and information.

Very truly yours,

LEYDIG, VOIT & MAYER, LTD.

By:


Elizabeth C. Diskin

Enclosures

ECD/sb

cc: Lynn A. Sullivan (w/out encls.)

Nixon & Vanderhye P.C.

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August 23, 2002

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VIA FACSIMILE / THEN MAIL

Elizabeth C. Diskin, Esq.
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Two Prudential Plaza, Suite 4900
Chicago, IL 60601

*Subject: U.S. Trademark Opposition
Baxter v. Inviro
Mark: ULTRALINK
Your ref: 213453
Our ref: 968-154*

Dear Elizabeth:

Thank you for your letter of August 21, 2002, and its attached draft motion and draft Amended Notice of Opposition.

In your draft motion, please revise it to inform the Board that "Baxter is hereby withdrawing, in its entirety, Baxter's prior Motion for Leave to Amend as filed on July 18, 2002." This will terminate Baxter's prior motion and reduce the Board's motion load. If you include this quoted information in your draft motion, then Inviro consents to Baxter's motion to file the amended Notice of Opposition attached to your letter of August 21. As you can appreciate, however, Inviro does not consent or agree with Baxter's assertions contained in its amended Notice of Opposition, and will duly respond after its entry by the Board.

As a separate but somewhat related issue, we are still awaiting Baxter's production of its alleged trademark licensing documents, including documents concerning Baxter's quality control actions.¹ Without that information, we will have no choice but to seek cancellation of Baxter's trademarks on the grounds of, *inter alia*, naked licensing and lack of policing. We have been quite patient and courteous in waiting for this information, if any exists. Baxter has had five months to gather and provide any such information, and we have even agreed to handle any confidential documents on an "attorneys' eyes only" basis. Moreover, based on our telephone discussions yesterday, we question whether any of that information is confidential because you confirmed that you had not even reviewed Baxter's alleged licensing documents to determine whether they included any "confidential" titles or "confidentiality" provisions. We once again

¹ We are also awaiting other information from Baxter, as discussed in our recent telephone discussions.

August 23, 2002

Page 2

request that you produce any such licensing information. Otherwise, we will have to assume that none exists or that it confirms problems.

If you have any questions, please feel free to contact me.

Very truly yours,

NIXON & VANDERHYE P.C.

A handwritten signature in black ink, appearing to be 'D. Byers', is written over a horizontal line.

Duane M. Byers

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August 26, 2002

Via Facsimile
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Duane M. Byers, Esq.
NIXON & VANDERHYTE P.C.
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714

Re: **Baxter International's Opposition to
Inviro Medical Devices's Application for ULTRALINK
Our Reference: 213453**

Dear Mr. Byers:

We received your correspondence of ~~July~~ ^{Aug.} 23, 2002, confirming your consent to our motion to amend the notice of opposition provided we include language about withdrawing the other motion. We have included that language and filed the consented motion. You should receive your copy shortly. (I continue to await our copy of your filing in response to our original motion. Please fax a copy at your first opportunity.)

With regard to your comments about the license agreements you continue to wait for, as you know and we discussed throughout our conference call yesterday, we are fully prepared to produce those documents as well as all other confidential documents once the parties have agreed to a protective order in writing. We provided you a copy of a proposed protective order on August 5, 2002, and have not received any counterproposal or agreement to that contract. License agreements with third parties include would-be competitors of your client and may include, in any given case, royalty information and other confidential information. We consider those documents confidential and are treating them as such.

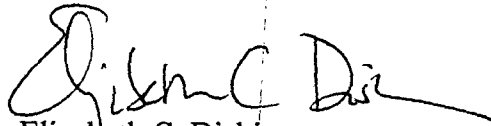
Duane M. Byers, Esq.
August 26, 2002
Page 2

We look forward to receipt from you of the signed protective order or a new proposed protective order so that we can move this production along.

Very truly yours,

LEYDIG, VOIT & MAYER, LTD.

By:


Elizabeth C. Diskin

ECD/sb

cc: Lynn A. Sullivan

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October 11, 2002

Via Facsimile
Confirmation via U.S. Mail

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1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714

RE: Baxter International, Inc. v. Inviro Medical Devices, Ltd.
Our reference: 213453

Dear Mr. Byers:

As I am sure you are aware, by Board Order, dated October 1, 2002, the discovery and trial dates on this case have been re-set (new discovery deadline is January 30, 2003) given the pending Consented Motion to Amend the Opposition and, therefore, our Motion to Extend Discovery has been rendered moot.

With regard to your recent request for dates of availability for certain Baxter employees for oral depositions, we are confirming dates with our client and will get back to you within the next few days.

During our last call on October 2nd, you mentioned that we would be receiving your client's privilege log within a few days. We have not received anything as of today's date. Please forward that at your first opportunity.

NIXON & VANDERHYTE P.C.
2002 OCT 15 AM 9:05

Duane M. Byers, Esq.
October 11, 2002
Page 2

Finally, given your recent signature on our proposed Protective Order, we are prepared to turn over confidential documents to you. Attached hereto is a Stipulation for your signature that we are prepared to file with the TTAB. Once we receive your signature (return fax is sufficient), we will forward the confidential documents at issue.

Very truly yours,

LEYDIG, VOIT & MAYER, LTD.

By: *Elizabeth C. Diskin/sb*
Elizabeth C. Diskin

ECD/sb
Enclosure
cc: Lynn A. Sullivan

Nixon & Vanderhye PC.

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October 14, 2002

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VIA FACSIMILE 312-616-5700 / THEN MAIL

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Elizabeth C. Diskin, Esq.
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Chicago, IL 60601

***Subject: U.S. Trademark Opposition
Baxter v. Inviro
Mark: ULTRALINK
Your ref: 213453
Our ref: 968-154***

***U.S. Trademark Opposition
Baxter v. Inviro
Mark: SNAPLINK
Your ref:
Our ref: 968-180***

Dear Lynn & Elizabeth:

Thank you for the signed copy of the Protective Order. Please provide copies of Baxter's confidential documents without further delay.

I will file the Protective Order tomorrow (October 15, 2002) with the U.S. Trademark Trial and Appeal Board with the following language in a cover sheet unless you have a serious objection:

"Opposer, Baxter International, Inc., and applicant, Inviro Medical Devices, Ltd., hereby stipulate to the usage and entry of the attached Protective Order Regarding Confidential Information and, therefore, jointly request the Board's approval and entry of the Protective Order for this case."

As a separate matter, in view of the Board's extension of the discovery, testimony and briefing periods in the ULTRALINK case (essentially as requested by you to prolong the matter), and in view of Baxter's identical or nearly identical INTERLINK assertions in both the ULTRALINK case and the SNAPLINK case, we renew our suggestion that these two cases should be consolidated. This will save expense to both parties and reduce the burden on the

October 14, 2002

Page 2

Trademark Trial and Appeal Board. If you agree, we will prepare a consented to notice. If you do not agree, we will submit a notice by ourselves.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Duane M. Byers', written over a horizontal line.

Duane M. Byers

Nixon & Vanderhye P.C.

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November 20, 2002

Lynn A. Sullivan, Esq.
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
Chicago, IL 60601

Subject: U.S. Trademark Opposition
Baxter v. Inviro
Mark: ULTRALINK
Your ref: 213453
Our ref: 968-154

Dear Lynn:

In response to my request, thank you for confirming by telephone on November 15, that Baxter has produced all of its policing and licensing information (including actual licenses and quality control information) concerning the INTERLINK trademark. As confirmed on the phone, this renders moot our concern about Baxter's withholding of information on these topics.

I also realize that our phone discussion did not concern Inviro's continued request for Baxter's information on its other LINK marks in the medical field. This issue is still the subject of Inviro's cross-motion to compel. As previously discussed, we have "agreed to disagree" on this issue and, consequently, have agreed to let the Board handle the issue.

Finally, as mentioned during our phone discussions, I hope to send you our privilege logs in the near future. Thank you for your patience. At present, I am busy responding to Baxter's motions and discovery served on November 5 and 6.

Very truly yours,



Duane M. Byers

DMB:lfo

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August 12, 2002

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Re: **Baxter International vs. Inviro Medical Devices Ltd.**
Opposition No. 91150298
Our Reference: 213453

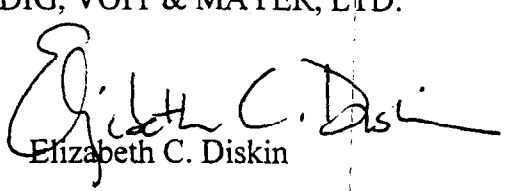
Dear Mr. Byers:

Further to our letter of August 5, 2002, enclosed please find additional materials responsive to Production Request numbers 14 and 25. We would appreciate the return of these materials at the close of this proceeding.

Very truly yours,

LEYDIG, VOIT & MAYER, LTD.

By:


Elizabeth C. Diskin

Enclosures

ECD/sb

cc: Lynn A. Sullivan (w/out encls.)

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BD Dickinson & Co.

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Via Federal Express

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Duane M. Byers, Esq.
NIXON & VANDERHYTE P.C.
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714

Re: Baxter International v. Inviro Medical Devices, Ltd.
Opposition No. 91150298
Our Reference 213453

Dear Mr. Byers:

Further to our letter of August 12, 2002, enclosed please find additional materials responsive to Production Request number 14. We would appreciate the return of these materials at the close of this proceeding.

Very truly yours,

LEYDIG, VOIT & MAYER, LTD.

By:

Lynn Sullivan

Enclosures
ECD/FSS/sb

cc: Elizabeth C. Diskin
Felecia Shankle

PEEL PEEL PEEL PEEL PEEL
Latex Free 3ml Interlink™ Vial Access Cannula
Latex Free 3ml Interlink™ Vial Access Cannula

Interlink™ Vial Access Cannula
Latex Free Syringe
BD 3ml Syringe with
Interlink™ Vial Access Cannula
Luer-Lok™
Discard after single use
Sterile
DG535701

Reorder No. 303401
BECTON DICKINSON & CO.
FRANKLIN LAKES, NJ 07417
(01)00382903034017
Reorder No. 303401
BECTON DICKINSON & CO.



104506
00 7 1002/1

PEEL PEEL PEEL PEEL PEEL

Reorder No.
303400
W12650

3CC
with
Syringe
Cannula

Reorder No.
303400
W12650

LUER
3CC
Intalok
Syringe Cannula

LUER
LOK®

Sterile • Discard after
single use
BECTON DICKINSON & CO.
FRANKLIN LAKES, NJ 07417-1884



PEEL PEEL PEEL PEEL PEEL

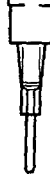
3ml
Interlink™
Syringe
Cannula

Latex
Free

3ml
Interlink™
Syringe
Cannula

BD 3ml Syringe with
Interlink Syringe Cannula

Latex Free Syringe



LUER-LOK™
Discard after single use
Sterile DGS36601

Interlink Syringe Cannula



(01)00382903034000

Reorder No. **303400**

BECTON DICKINSON & CO.
FRANKLIN LAKES, NJ 07417



(01)00382903034000

Reorder No. **303400**



PEEL PEEL PEEL

Order No. 03404 10cc with Syringe Cannula 303

W12821

B-D® 10cc InterLink™

InterLink™ Syringe Cannula

Syringe with

LUER
LOCK®

Sterile • Discard after
single use
BECTON DICKINSON & CO.
FRANKLIN LAKES NJ 07417-1894



PEEL PEEL PEEL PEEL PE

10cc
with
Vial
Access
Cannula

Reorder No.
303405

10cc
with
Vial
Access
Cannula

W12658

B-D®

10cc • InterLink

Syringe with

InterLink Vial Access Cannula

LUER
LOCK®

Sterile • Discard after
single use

BECTON DICKINSON & CO.
FRANKLIN LAKES NJ 07417-1884

Sterile • Discard after
single use

BECTON DICKINSON & CO.



PEEL PEEL PEEL PEEL

5ml
Interlink™
Access
Cannula

Latex Free

5ml
Interlink™
Vial Access
Cannula

Latex Free Syringe

Discard after single use
Sterile
DG536001



5ml Syringe with
Interlink™ Vial Access Cannula

Latex Free Syringe



LUER-LOK™
Discard after single use
Sterile
DG536001

BD 5ml Syringe with

Reorder No. 303403

BECTON DICKINSON & CO
FRANKLIN LAKES NJ 07417



(01)00382903034031

Reorder No. 303403

BECTON DICKINSON & CO
FRANKLIN LAKES NJ 07417





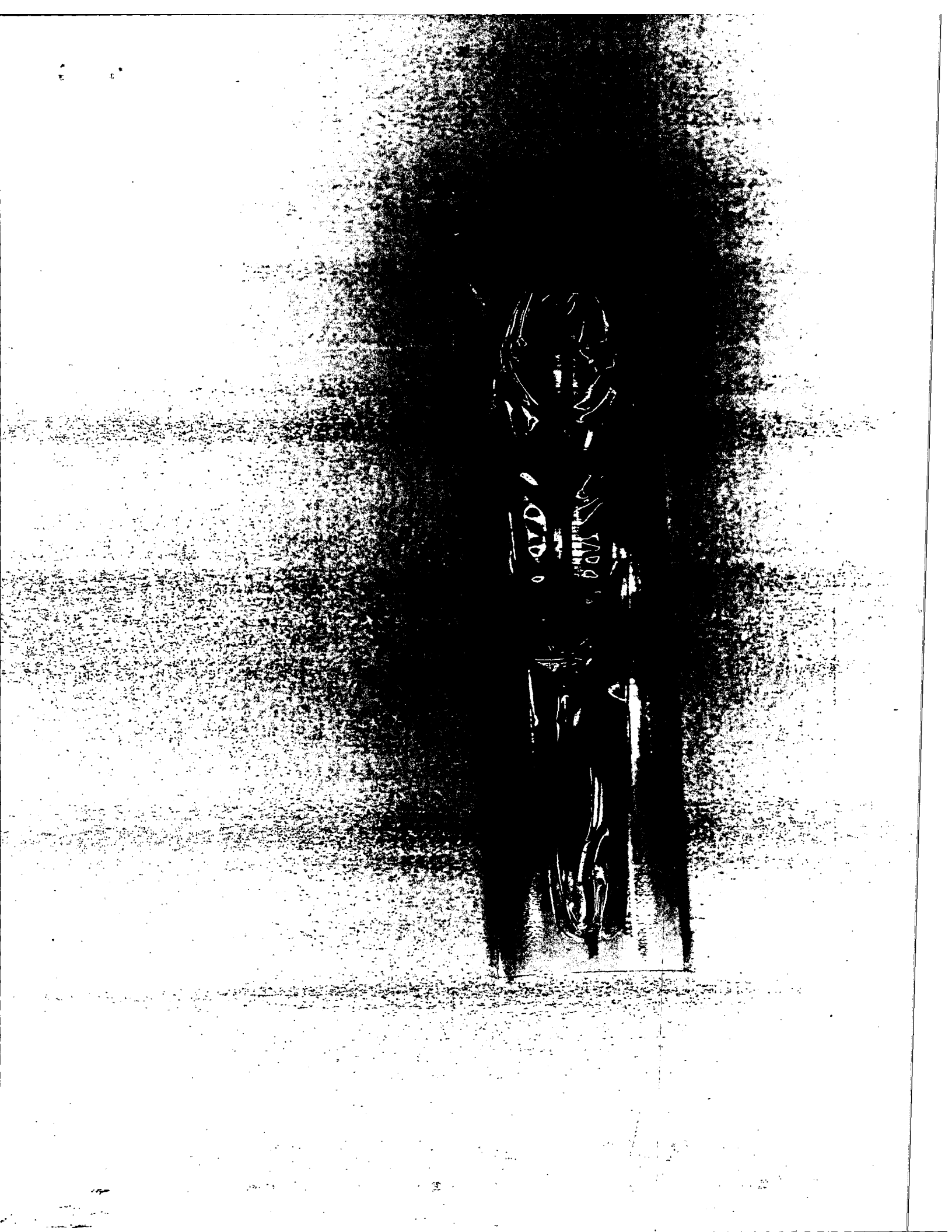
PEEL PEEL PEEL PEEL PEEL

Order No. 5CC
402 with
Syringe
Cannula
W12652

Reorder No. 5
303402
W12652
Syr
Can



LUER
LOK®
Sterile • Discard after
single use
BECTON DICKINSON & CO.
FRANKLIN LAKES, NJ 07417-1894



10

InterLink[®]

IV ACCESS SYSTEM

Baxter

**BECTON
DICKINSON**

sanofi  WINTHROP
Sanofi Winthrop Pharmaceuticals

IMS
INTERNATIONAL MEDICATION
SYSTEMS, LIMITED

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OPP0706

Cannula and Syringe Products

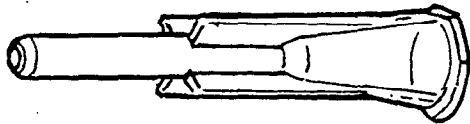
**BECTON
DICKINSON**

Code No.

Description

303366

Syringe (Bare) Cannula
100 per box, 1000 per case

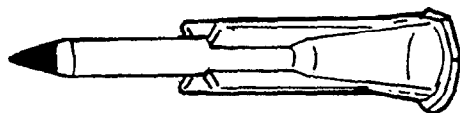


Code No.

Description

303367

Vial Access Cannula
100 per box, 1000 per case

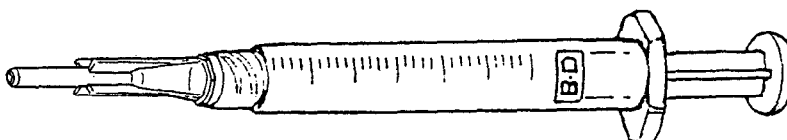


Code No.

Description

303400
303402
303404

Syringes with Syringe Cannula Preattached
3cc 100 per box, 800 per case
5cc 100 per box, 400 per case
10cc 100 per box, 400 per case



OPP0708

InterLink®
IV ACCESS SYSTEM

Locking Cannula Products

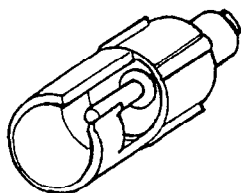
**BECTON
DICKINSON**

Code No.

Description

303365

Y-Lock Cannula
100 per box, 1000 per case

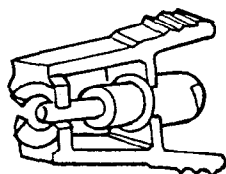


Code No.

Description

303368

Lever Lock Cannula
100 per box, 1000 per case

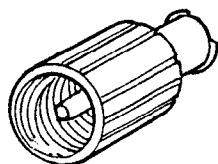


Code No.

Description

303369

Threaded Lock Cannula
100 per box, 1000 per case



OPP0709

InterLink®
IV ACCESS SYSTEM

Cannula and Syringe Products

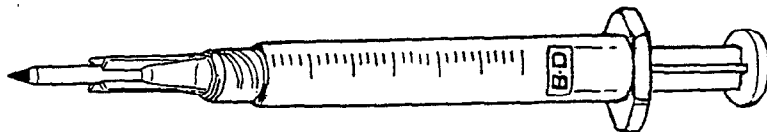
**BECTON
DICKINSON**

Code No.

Description

303401
303403
303405

Syringes with Vial Access Cannula Preattached
3cc 100 per box, 800 per case
5cc 100 per box, 400 per case
10cc 100 per box, 400 per case



OPP0710

InterLink®
IV ACCESS SYSTEM

Vial Access Products

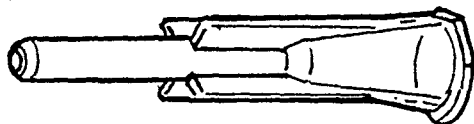
**BECTON
DICKINSON**

Code No.

Description

303366

Syringe (Bare) Cannula
100 per box, 1000 per case



Code No.

Description

303400

303402

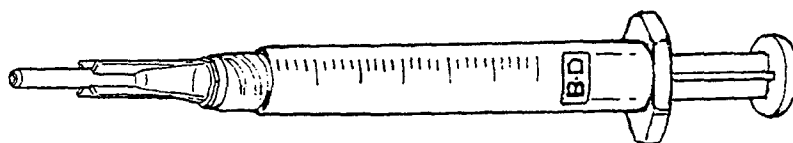
303404

Syringes with Syringe Cannula Preattached

3cc 100 per box, 800 per case

5cc 100 per box, 400 per case

10cc 100 per box, 400 per case



OPP0726

InterLink®
IV ACCESS SYSTEM

Vial Access Products

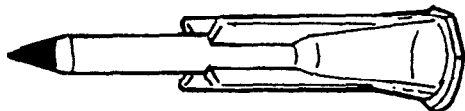
**BECTON
DICKINSON**

Code No.

Description

303367

Vial Access Cannula
100 per box, 1000 per case



Code No.

Description

303401

303403

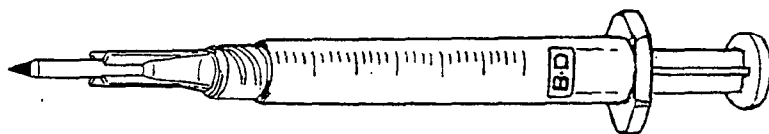
303405

Syringes with Vial Access Cannula Preattached

3cc 100 per box, 800 per case

5cc 100 per box, 400 per case

10cc 100 per box, 400 per case



OPP0727

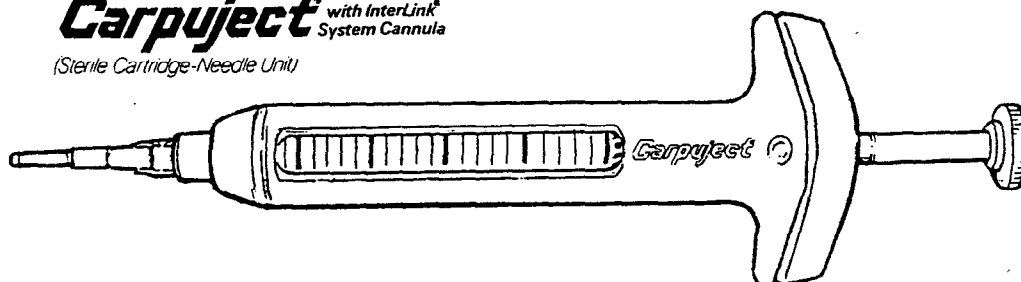
InterLink®
IV ACCESS SYSTEM

Prefilled Syringes

sanofi  WINTHROP
Sanofi Winthrop Pharmaceuticals

Carpject with InterLink[®]
System Cannula

(Sterile Cartridge-Needle Unit)



Demerol[®] (meperidine hydrochloride) injection, USP @ in Detecto-Seal[®] Paks

Code	Concentration	NDC	Pack Size
CD-42	25 mg per 1 mL	0024-0324-42	10's
CD-43	50 mg per 1 mL	0024-0325-43	10's
CD-44	75 mg per 1 mL	0024-0326-44	10's
CD-45	100 mg per 1 mL	0024-0328-45	10's

Furosemide injection, USP

Code	Concentration	NDC	Pack Size
CF-03	20 mg/2 mL in 2 mL	0024-0611-13	10's
CF-23	40 mg/4 mL in 5 mL	0024-0609-23	10's

Heparin lock flush solution, USP

Code	Concentration	NDC	Pack Size
CH-01	10 units per 1 mL	0024-0721-16	50's
CH-11	100 units per 1 mL	0024-0722-16	50's
CH-02	20 units per 2 mL	0024-0721-17	50's
CH-12	200 units per 2 mL	0024-0722-17	50's
CH-32	30 units per 3 mL	0024-0721-32	25's
CH-33	300 units per 3 mL	0024-0722-33	25's
CH-34	50 units per 5 mL	0024-0721-34	25's
CH-35	500 units per 5 mL	0024-0722-35	25's

OPP0729

InterLink[®]
IV ACCESS SYSTEM

Prefilled Syringes



Morphine Sulfate, USP @ in Detecto-Seal® Pales

Code	Concentration	NDC	Pack Size
CM-01	2 mg/1 mL in 2 mL	0024-1257-01	10's
CM-03	4 mg/1 mL in 2 mL	0024-1258-03	10's
CM-07	8 mg/1 mL in 2 mL	0024-1260-07	10's
CM-08	10 mg/1 mL in 2 mL	0024-1263-08	10's
CM-10	15 mg/1 mL in 2 mL	0024-1264-10	10's

Naloxone hydrochloride injection, USP

Code	Concentration	NDC	Pack Size
CN-26	0.4 mg per 1 mL	0024-1313-26	10's
CN-27	0.04 mg per 2 mL	0024-1314-27	10's

Primacor® (milrinone lactate)

Code	Concentration	NDC	Pack Size
P-106	5mg/5mL	0024-1200-00	10's

Prochlorperazine edisylate injection, USP

Code	Concentration	NDC	Pack Size
CP-04	10 mg per 2 mL	0024-1598-04	10's

Sodium chloride injection, USP, sterile isotonic solution 0.9% Preservative free... no benzyl alcohol

Code	Concentration	NDC	Pack Size
CN-02	2 mL in 2 mL	0024-1812-02	50's
CN-03	3 mL in 5 mL	0024-1812-03	25's
CN-05	5 mL in 5 mL	0024-1812-05	25's

Verapamil hydrochloride injection, USP

Code	Concentration	NDC	Pack Size
CV-41	5 mg per 2 mL	0024-2110-41	10's

OPP0730

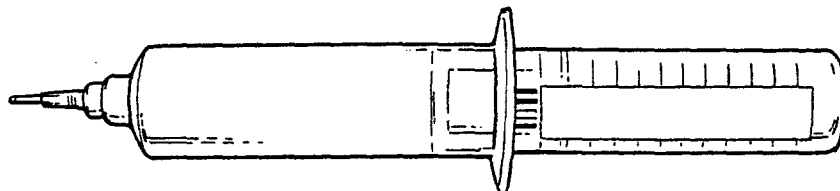
InterLink®
IV ACCESS SYSTEM

Emergency Prefilled Syringes

IMS

INTERNATIONAL MEDICATION SYSTEMS, LIMITED

IMS Min-I-Jet® Syringe
with InterLink® System



NDC# 0548-	Size	Product Description	Unit/Box
3039	10 mL	Atropine, 1 mg	25
3004	10 mL	Calcium Chloride 10%, 1000 mg	25
3001	50 mL	Dextrose 50%, 25g	25
3016	10 mL	Epinephrine 1:10,000, 1 mg	25
3190	5 mL	Lidocaine HCl 2%, 100 mg	25
3002	50 mL	Sodium Bicarbonate 7.5%, 44.6 mEq	25
3052	50 mL	Sodium Bicarbonate 8.4%, 50 mEq	25

OPP0732

InterLink®
IV ACCESS SYSTEM

Blood Collection Products

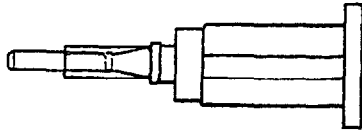
**BECTON
DICKINSON**

Code No.

Description

303381*

Vacutainer® Tube Holder and Luer Adapter
with Preattached Syringe Cannula
25 per box, 100 per case



* Available Fall 1994

OPP0759

Ordering Information

Corporate Logo in upper right hand corner
of each page indicates manufacturer.
Ordering instructions are listed below.

**Baxter**

For additional information or to order Baxter products, contact your I.V. Systems Sales Representative or your I.V. Systems Regional Customer Service Representative.

Baxter Healthcare Corporation, I.V. Systems Division
Route 120 and Wilson Road, Round Lake, IL 60073

**BECTON
DICKINSON**

For additional information or to order Becton Dickinson products, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative for assistance.

Becton Dickinson Division, Becton Dickinson and Company
Franklin Lakes, NJ 07417-1884
In Canada: Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2MB

**sanofi WINTHROP**

Sanofi Winthrop Pharmaceuticals

For additional information or to order Sanofi Winthrop Pharmaceutical Products, contact your Sanofi Winthrop Pharmaceuticals Sales Representative, or call Sanofi Winthrop Customer Service at 1-800-223-1062 (east of the Mississippi River), or 1-800-223-5511 (west of the Mississippi River), or Fax orders to 1-800-933-3243.

Sanofi Winthrop Pharmaceuticals
90 Park Avenue
New York, NY 10016

**IMS**

INTERNATIONAL MEDICATION SYSTEMS, LIMITED

For additional information or to order IMS products, contact your IMS Representative or call 1-800-423-4136.

International Medication Systems, Limited
1886 Santa Anita Ave., South El Monte, CA 91733

OPP0790

**InterLink®
IV Access
System**

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¹Sanofi Winthrop Pharmaceuticals

²International Medication Systems, Limited

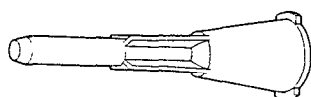
**InterLink®
IV Access
System**

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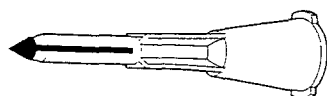
	page
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Cannula and Syringe Products

catalog number	description	units per box	units per case
Syringe Cannulas			
303366	Syringe (Bare) Cannula	100	1000

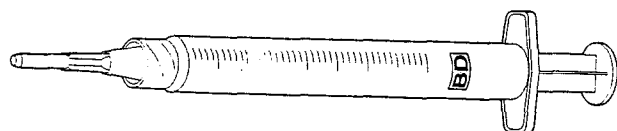


303367	Vial Access Cannula	100	1000
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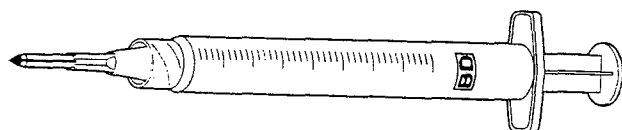


Syringes with Cannulas Preattached

303400	3 cc Syringe with Syringe Cannula Preattached	100	800
303402	5 cc Syringe with Syringe Cannula Preattached	100	400
303404	10 cc Syringe with Syringe Cannula Preattached	100	400



303401	3 cc Syringe with Vial Access Cannula Preattached	100	800
303403	5 cc Syringe with Vial Access Cannula Preattached	100	400
303405	10 cc Syringe with Vial Access Cannula Preattached	100	400



For additional information or to order products listed on this page, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative.

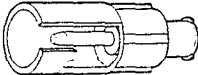
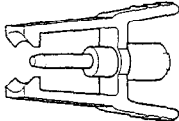
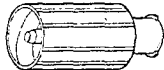
Becton Dickinson Division
Becton Dickinson and Company
Franklin Lakes, New Jersey 07417-1884

In Canada:
Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2MB

OPP0802

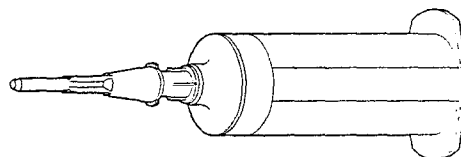
**BECTON
DICKINSON**

Cannula and Syringe Products

catalog number	description	units per box	units per case
Locking Cannulas			
303365	Y-Lock Cannula	100	1000
			
303368	Lever Lock Cannula	100	1000
			
303369	Threaded Lock Cannula	100	1000
			

Blood Collection Products

303381	VACUTAINER ¹ Tube Holder and Luer Adapter with preattached syringe cannula.	25	200
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For additional information or to order products listed on this page, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative.

Becton Dickinson Division
Becton Dickinson and Company
Franklin Lakes, New Jersey 07417-1884

In Canada:
Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2M8

**BECTON
DICKINSON**

¹Becton Dickinson Division

OPP0803

Injection Sites

catalog number	description	price each	units per case	price per case
Injection Sites				
2N3379	InterLink® Luer Lock Injection Site	\$1.50	800	\$1,200.00
2N3399	InterLink® Luer Lock Injection Site	\$1.50	200	300.00

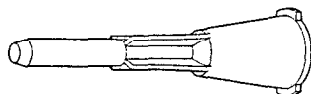


OPP0804

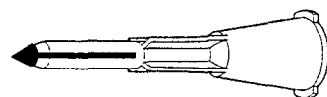
Vial Access Products

catalog number	description	units per box	units per case
Syringe Cannulas			

303366	Syringe (Bare) Cannula	100	1000
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303367	Vial Access Cannula	100	1000
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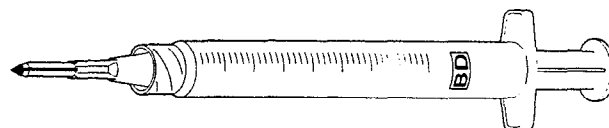


Syringes with Cannulas Preattached

303400	3 cc Syringe with Syringe Cannula Preattached	100	800
303402	5 cc Syringe with Syringe Cannula Preattached	100	400
303404	10 cc Syringe with Syringe Cannula Preattached	100	400



303401	3 cc Syringe with Vial Access Cannula Preattached	100	800
303403	5 cc Syringe with Vial Access Cannula Preattached	100	400
303405	10 cc Syringe with Vial Access Cannula Preattached	100	400



For additional information or to order products listed on this page, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative.

Becton Dickinson Division
Becton Dickinson and Company
Franklin Lakes, New Jersey 07417-1884

In Canada:
Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2MB

Prefilled Syringes

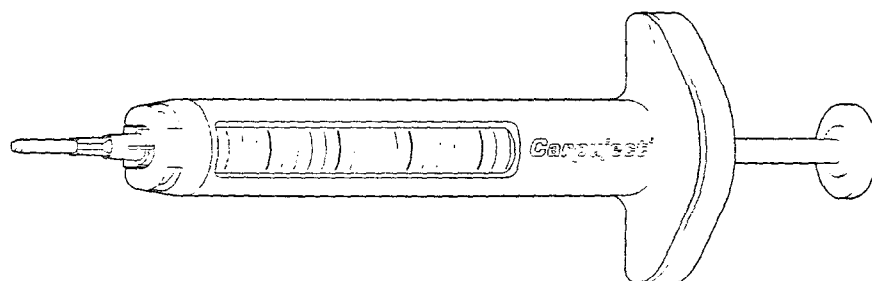
catalog
number

concentration

NDC number

units
per
case

Carpject¹ Prefilled Syringes



Demerol² (meperidine hydrochloride) Injection, USP in Detecto-Seal³ Pak

CD-42	25 mg per 1 mL	0024-0324-42	10
CD-43	50 mg per 1 mL	0024-0325-43	10
CD-44	75 mg per 1 mL	0024-0326-44	10
CD-45	100 mg per 1 mL	0024-0328-45	10

Furosemide Injection, USP


CF-03	20 mg/2 mL in 2 mL	0024-0611-13	10
CF-23	40 mg/4 mL in 5 mL	0024-0609-23	10

Heparin Lock Flush Solution, USP

CH-01	10 units per 1 mL	0024-0721-16	50
CH-02	20 units per 2 mL	0024-0721-17	50
CH-11	100 units per 1 mL	0024-0722-16	50
CH-12	200 units per 2 mL	0024-0722-17	50
CH-32	30 units per 3 mL	0024-0721-32	25
CH-33	300 units per 3 mL	0024-0722-33	25
CH-34	50 units per 5 mL	0024-0721-34	25
CH-35	500 units per 5 mL	0024-0722-35	25

For additional information or to order products listed on this page, contact your Sanofi Winthrop Pharmaceuticals Sales Representative, or call Sanofi Winthrop Customer Service at 1-800-223-1062 (east of the Mississippi River), or 1-800-223-5511 (west of the Mississippi River), or fax orders to 1-800-933-3243.

Sanofi Winthrop Pharmaceuticals
90 Park Avenue
New York, NY 10016

sanofi  **WINTHROP**

Sanofi Winthrop Pharmaceuticals

^{1,2,3} Sanofi Winthrop Pharmaceuticals

Prefilled Syringes

catalog number	concentration	NDC number	units per case
Carpject¹ Prefilled Syringes (continued)			
Morphine Sulfate, USP in Detecto-Seal³ Pak			
CM-01	2 mg/1 mL in 2 mL	0024-1257-01	10
CM-03	4 mg/1 mL in 2 mL	0024-1258-03	10
CM-07	8 mg/1 mL in 2 mL	0024-1260-07	10
CM-08	10 mg/1 mL in 2 mL	0024-1263-08	10
CM-10	15 mg/1 mL in 2 mL	0024-1264-10	10
Naloxone Hydrochloride Injection, USP			
CN-26	0.4 mg per 1 mL	0024-1313-26	10
CN-27	0.04 mg per 2 mL	0024-1314-27	10
Primacor⁴ (milrinone lactate)			
P-106	5 mg/5 mL	0024-1200-00	10
Prochlorperazine Edisylate Injection, USP			
CP-04	10 mg per 2 mL	0024-1598-04	10
Sodium Chloride Injection, USP, sterile isotonic solution 0.9% preservative free, no benzyl alcohol.			
CN-02	2 mL in 2 mL	0024-1812-02	50
CN-03	3 mL in 5 mL	0024-1812-03	25
CN-05	5 mL in 5 mL	0024-1812-05	25
Verapamil Hydrochloride Injection, USP			
CV-41	5 mg per 2 mL	0024-2110-41	10

For additional information or to order products listed on this page, contact your Sanofi Winthrop Pharmaceuticals Sales Representative, or call Sanofi Winthrop Customer Service at 1-800-223-1062 (east of the Mississippi River), or 1-800-223-5511 (west of the Mississippi River), or fax orders to 1-800-933-3243.

Sanofi Winthrop Pharmaceuticals
90 Park Avenue
New York, NY 10016



Sanofi Winthrop Pharmaceuticals

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OPP0817

Effective October 1, 1995

Emergency Prefilled Syringes

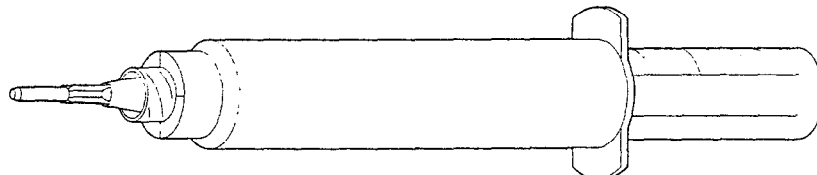
NDC
number

description

size

units
per
box

IMS Min-I-Jet¹ Syringes with InterLink® System



0548-3039-00	Atropine Sulfate Injection USP, 1 mg	10 mL	25
0548-3004-00	Calcium Chloride Injection USP 10%, 13.6 mEq	10 mL	25
0548-3001-00	Dextrose Injection USP 50%, 25 g	50 mL	25
0548-3016-00	Epinephrine Injection USP 1:10,000, 1 mg	10 mL	25
0548-3190-00	Lidocaine Hydrochloride Injection USP 2%, 100 mg	5 mL	25
0548-3002-00	Sodium Bicarbonate Injection USP 7.5%, 44.6 mEq	50 mL	25
0548-3052-00	Sodium Bicarbonate Injection USP 8.4%, 50 mEq	50 mL	25

For additional information or to order products listed on this page, contact your IMS Representative or call 1-800-423-4136.

International Medication Systems, Limited
1886 Santa Anita Avenue
South El Monte, CA 91733

¹International Medication Systems, Limited

12

**Interlink®
IV Access
System**

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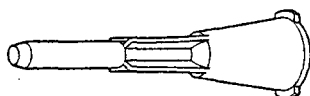
OPP0853

Cannula and Syringe Products

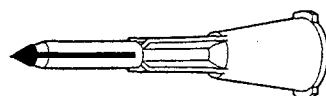
catalog number	description	units per box	units per case
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Syringe Cannulas

303366	Syringe (Bare) Cannula Sterile package.	100	1000
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303367	Vial Access Cannula Sterile package.	100	1000
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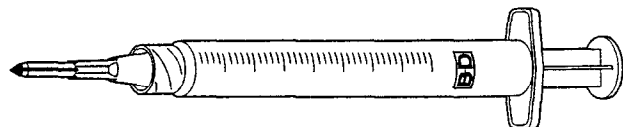


Syringes with Cannulas Preattached

303400	3 cc Syringe with Syringe Cannula Preattached. Sterile package.	100	800
303402	5 cc Syringe with Syringe Cannula Preattached. Sterile package.	100	400
303404	10 cc Syringe with Syringe Cannula Preattached. Sterile package.	100	400



303401	3 cc Syringe with Vial Access Cannula Preattached. Sterile package.	100	800
303403	5 cc Syringe with Vial Access Cannula Preattached. Sterile package.	100	400
303405	10 cc Syringe with Vial Access Cannula Preattached. Sterile package.	100	400



For additional information or to order products listed on this page, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative.

Becton Dickinson Division
Becton Dickinson and Company
Franklin Lakes, New Jersey 07417-1884

In Canada:
Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2M8

Note: Baxter Healthcare, I.V. Systems General Ordering Information does not apply to products listed on this page.

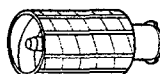
OPP0859

**BECTON
DICKINSON**

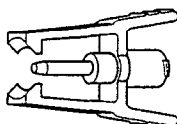
Cannula and Syringe Products

catalog number	description	units per box	units per case
Locking Cannulas			

303369	Threaded Lock Cannula Sterile package.	100	1000
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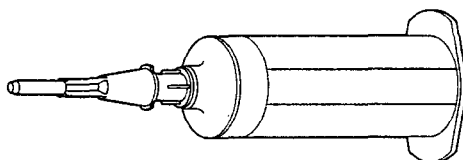


303370	Lever Lock Cannula Sterile package.	100	1000
---------------	---	-----	------



Blood Collection Product

303381	VACUTAINER® Tube Holder and Luer Adapter with preattached syringe cannula. Sterile package.	25	200
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For additional information or to order products listed on this page, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative.

Becton Dickinson Division
Becton Dickinson and Company
Franklin Lakes, New Jersey 07417-1884

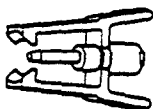
In Canada:
Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2MB

Note: Baxter Healthcare, I.V. Systems General Ordering Information does not apply to products listed on this page.

13

InterLink® System Product Catalog

catalog number	description	units per box	units per case
Locking Cannulas			
303368	Lever Lock Cannula	100	1000

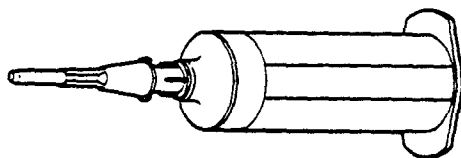


303369	Threaded Lock Cannula	100	1000
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Blood Collection Products

303381	VACUTAINER® Tube Holder and Luer Adapter with preattached syringe cannula.	25	200
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For additional information or to order products listed on this page, contact any authorized Becton Dickinson Hypodermic Distributor or your Becton Dickinson Hypodermic Sales Representative.

Becton Dickinson Division
Becton Dickinson and Company
Franklin Lakes, New Jersey 07417-1884

In Canada:
Becton Dickinson Canada Inc.
Mississauga, Ontario L5J2M8

D-3

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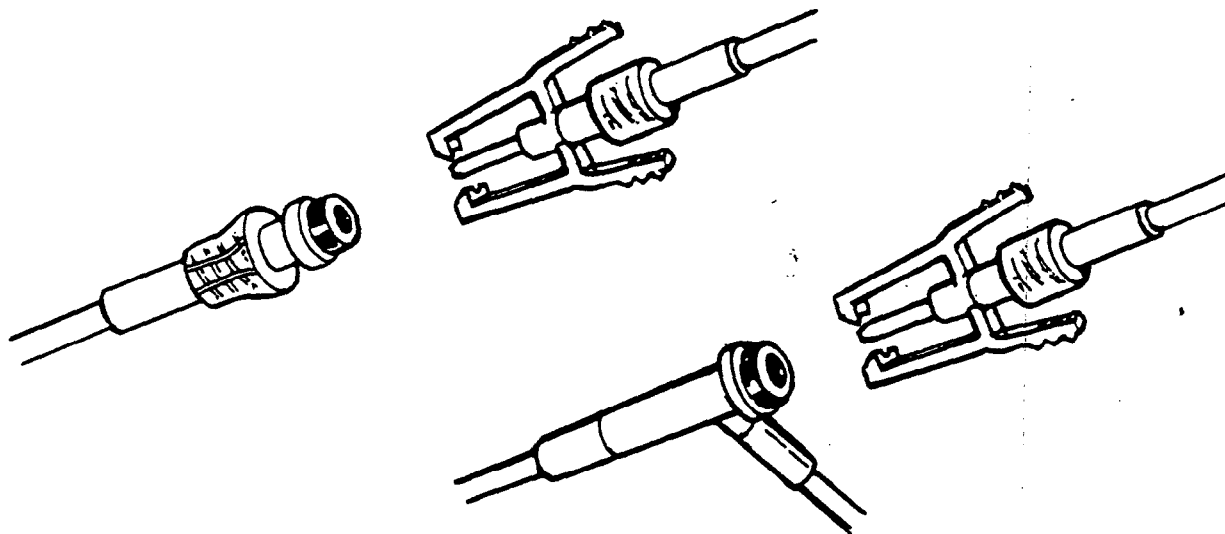
OPP001516

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DICKINSON**

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InterLink® Lever Lock Cannula

The InterLink® Lever Lock cannula is a locking device for securing IV connections.



The InterLink® Lever Lock Cannula is Used:

- to connect continuous or intermittent IV therapy lines.
- to connect secondary medication IV sets to the primary IV set for administering intermittent doses of medication.

A-8

Guidelines for use: use aseptic technique

1. Connect lever lock cannula to IV set.
2. Swab septum of the injection site with preferred antiseptic.
3. Remove shield. Grasp lever lock and insert cannula directly through the center of the septum until cannula reaches surface of the septum. Release levers to lock in place.

Always review directions on product packaging for step-by-step instructions prior to using product.

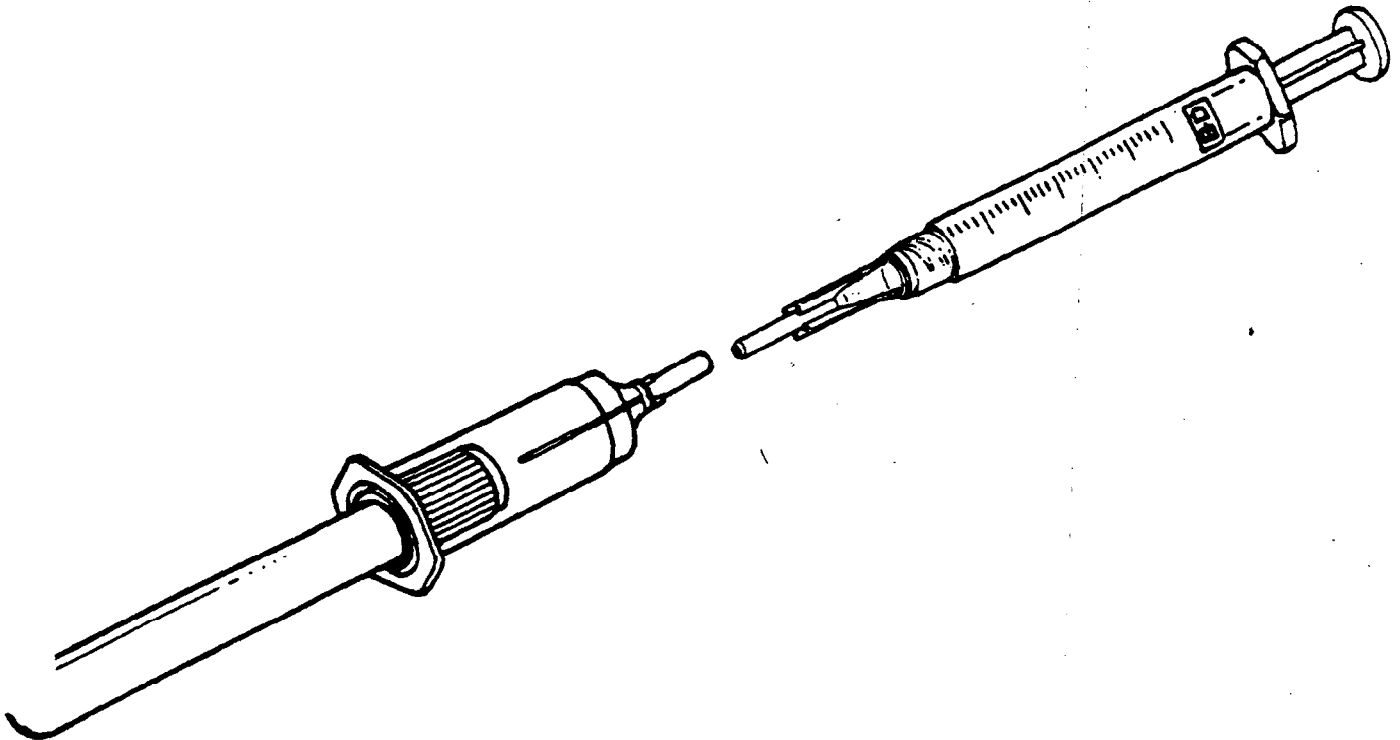
OPP001517

InterLink®
IV ACCESS SYSTEM

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Blood Sampling

Blood sampling products for Indirect (Transfer) Method of blood sampling.



Necessary components:

- VACUTAINER¹ Brand Blood Collection Tube
- Syringe with InterLink[®] Cannula Preattached
- VACUTAINER¹ Tube Holder and Luer Adapter

A-9

Guidelines for use: use aseptic technique

OPP001518

1. Secure the cannula to syringe with a twist.
2. Blood sample is obtained using a syringe and is then transferred to a blood collection tube.
3. Withdraw blood from InterLink[®] injection site using a syringe with InterLink[®] cannula attached.
(Always draw a waste sample to clear line of solution prior to drawing lab sample.)
4. Remove cannula and syringe from injection site.
5. Transfer blood to the blood collection tube by inserting the cannula into the luer adapter on the VACUTAINER¹ tube holder.
6. Activate the vacuum by fully engaging the tube inside of the tube holder. Always allow the tube vacuum to withdraw sample from the syringe. **DO NOT DEPRESS THE SYRINGE PLUNGER.** Forcefully depressing the syringe plunger may create a positive pressure in the tube, causing the stopper and sample to explode.

Always review directions on product packaging for step-by-step instructions prior to using product.

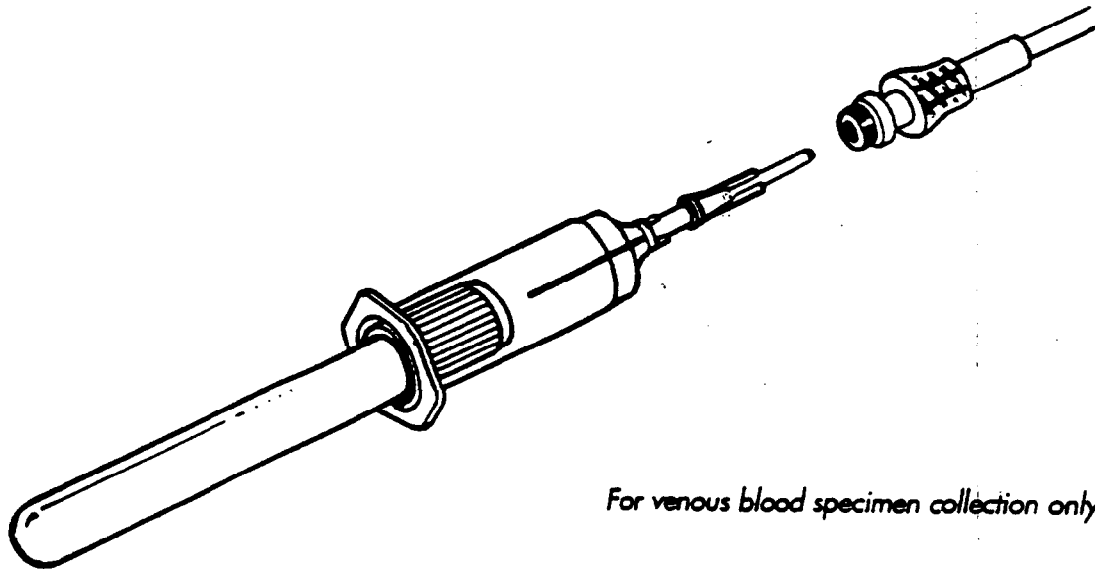
¹Becton Dickinson Division

InterLink[®]
IV ACCESS SYSTEM

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Blood Sampling

Blood sampling products for Direct Method of blood sampling.



For venous blood specimen collection only.

Necessary components:

- VACUTAINER[®] Brand Blood Collection Tube
- VACUTAINER[®] Tube Holder and Luer Adapter with Preattached Syringe Cannula or InterLink[®] Blood Collection Assembly
- InterLink[®] Injection Site

A-10

Guidelines for use: use aseptic technique

1. Secure the InterLink[®] cannula to the luer adapter. Swab the injection site with preferred antiseptic. Insert the cannula into the InterLink[®] injection site.
2. Activate vacuum by fully engaging blood tube inside the holder. Do not engage the blood collection tube until you have fully inserted the cannula into the injection site to avoid losing the vacuum prematurely.
3. Draw the laboratory sample.
(Always draw a waste sample to clear line of solution prior to drawing lab sample.)
4. Always remove the tube from the holder, prior to removing the cannula from the site.

Always review directions on product packaging for step-by-step instructions prior to using product.

Tecton Dickinson Division

OPP001519

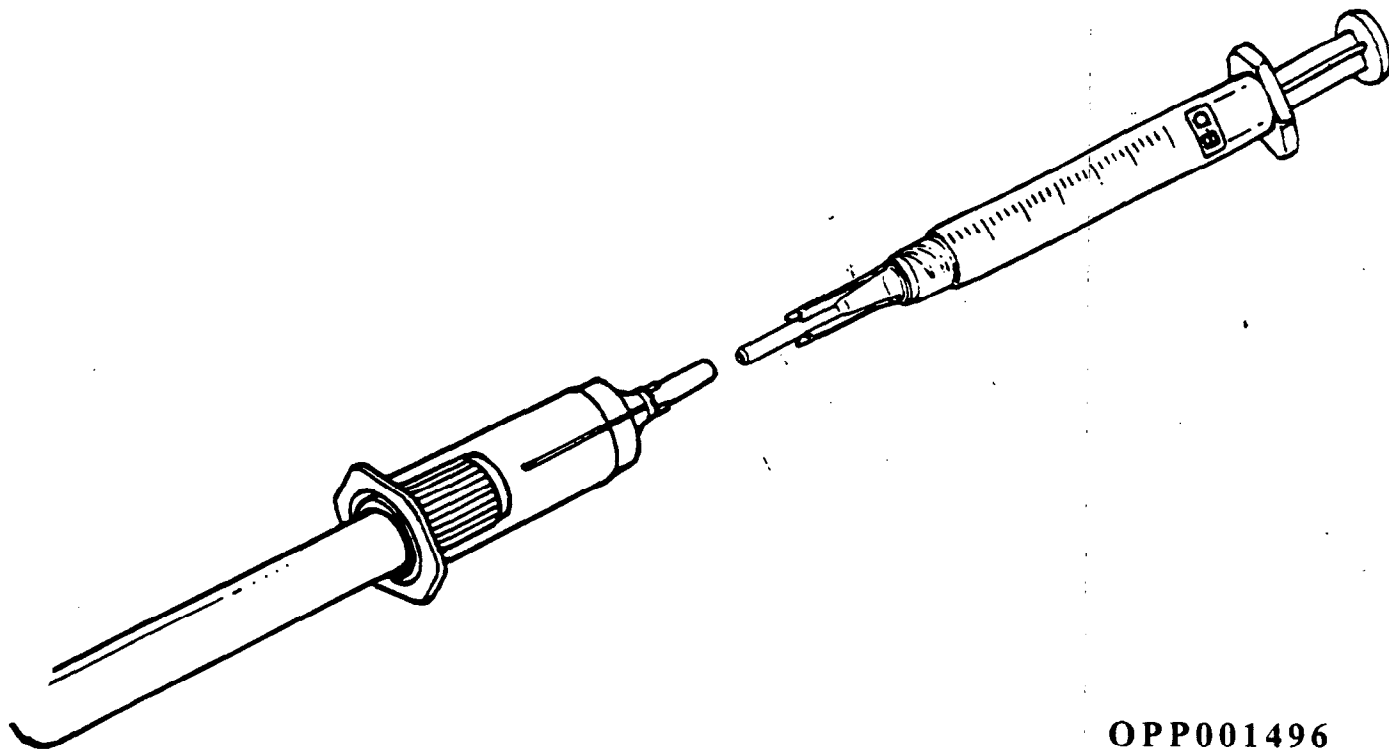
InterLink[®]
IV ACCESS SYSTEM

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14

Blood Sampling

Blood sampling products for Indirect (Transfer) Method of blood sampling.



OPP001496

Necessary components:

- VACUTAINER¹ Brand Blood Collection Tube
- Syringe with InterLink[®] Cannula Preattached
- VACUTAINER¹ Tube Holder and Luer Adapter

A-9

Guidelines for use: use aseptic technique

1. Secure the cannula to syringe with a twist.
2. Blood sample is obtained using a syringe and is then transferred to a blood collection tube.
3. Withdraw blood from InterLink[®] injection site using a syringe with InterLink[®] cannula attached.
(Always draw a waste sample to clear line of solution prior to drawing lab sample.)
4. Remove cannula and syringe from injection site.
5. Transfer blood to the blood collection tube by inserting the cannula into the luer adapter on the VACUTAINER¹ tube holder.
6. Activate the vacuum by fully engaging the tube inside of the tube holder. Always allow the tube vacuum to withdraw sample from the syringe. **DO NOT DEPRESS THE SYRINGE PLUNGER.** Forcefully depressing the syringe plunger may create a positive pressure in the tube, causing the stopper and sample to explode.

Always review directions on product packaging for step-by-step instructions prior to using product.

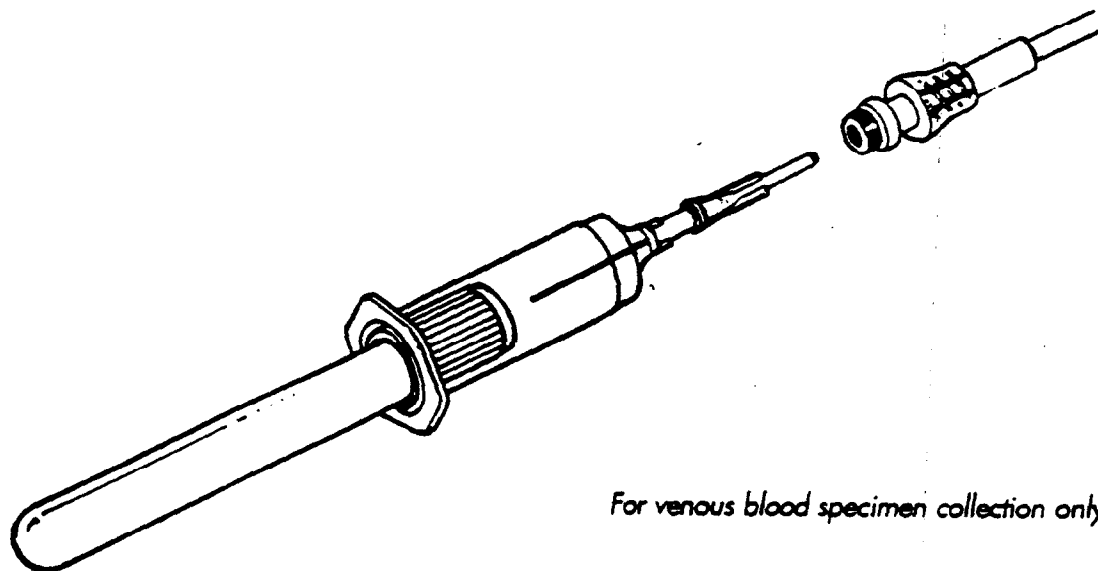
¹Becton Dickinson Division

InterLink[®]
IV ACCESS SYSTEM

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Blood Sampling

Blood sampling products for Direct Method of blood sampling.



For venous blood specimen collection only.

Necessary components:

- VACUTAINER¹ Brand Blood Collection Tube
- VACUTAINER¹ Tube Holder and Luer Adapter with Preattached Syringe Cannula or InterLink[®] Blood Collection Assembly
- InterLink[®] Injection Site

A-10

Guidelines for use: use aseptic technique

1. Secure the InterLink[®] cannula to the luer adapter. Swab the injection site with preferred antiseptic. Insert the cannula into the InterLink[®] injection site.
2. Activate vacuum by fully engaging blood tube inside the holder. Do not engage the blood collection tube until you have fully inserted the cannula into the injection site to avoid losing the vacuum prematurely.
3. Draw the laboratory sample.
(Always draw a waste sample to clear line of solution prior to drawing lab sample.)
4. Always remove the tube from the holder, prior to removing the cannula from the site.

OPP001497

Always review directions on product packaging for step-by-step instructions prior to using product.

¹Becton Dickinson Division

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IV Flushing

To administer an IV flush for peripheral or central line applications prepare vial using approved aseptic technique and withdraw appropriate amount of solution.*

IV Catheter Flushing - Peripheral Applications (Diagram A)

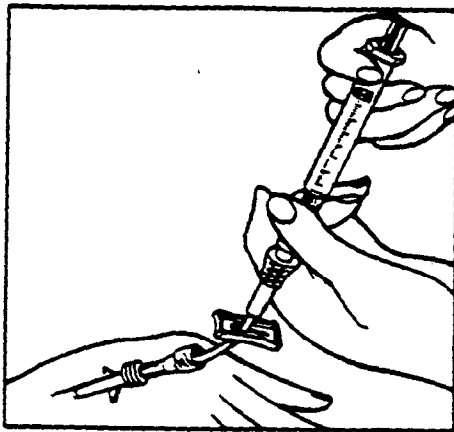


Diagram A

IV Catheter Flushing - Central Line Applications (Diagram B)

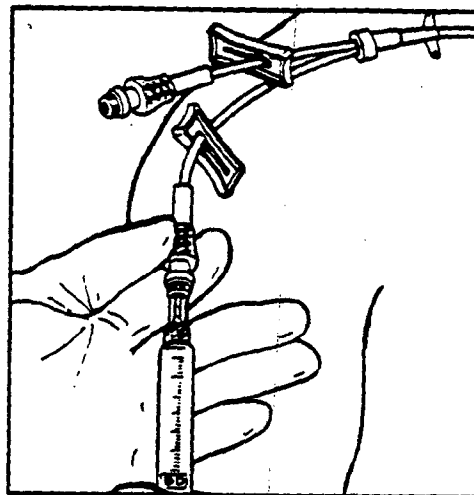


Diagram B

B-1

**Follow your hospital policy to determine the type and quantity of flush solution.*

Always review directions on product packaging for step-by-step instructions prior to using product.

OPP001498

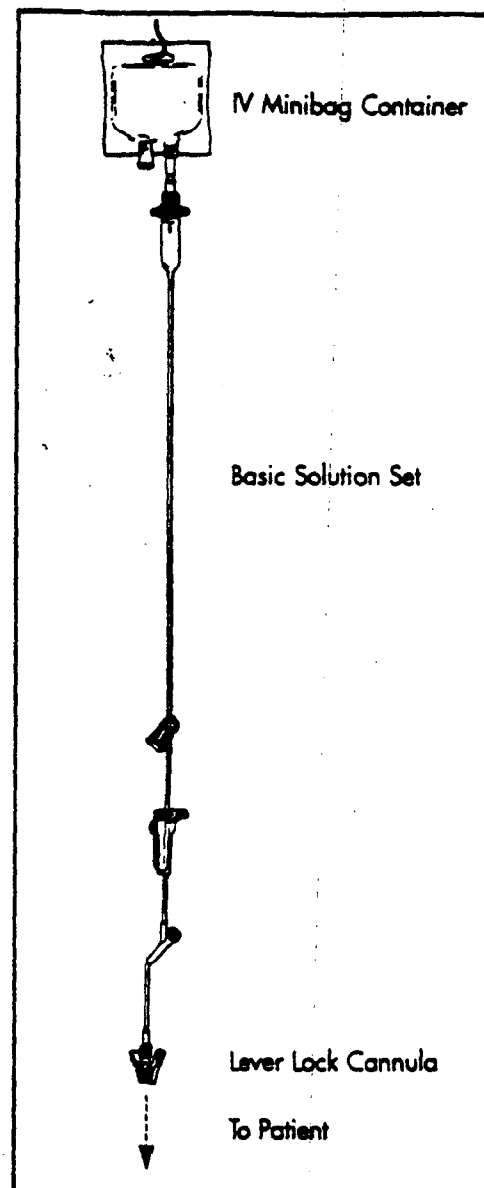
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IV ACCESS SYSTEM

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Intermittent Therapy

To administer intermittent therapy a basic solution set with a lever lock cannula may be used. *

Connect the IV set to the IV minibag and then attach the lever lock cannula to the distal end of the IV set. Prime set, purge air. Swab the injection site using approved aseptic technique prior to inserting the lever lock cannula. Control flow using regulating clamp.



B-2

**Technique requires patient to have injection site in place.*

OPP001499

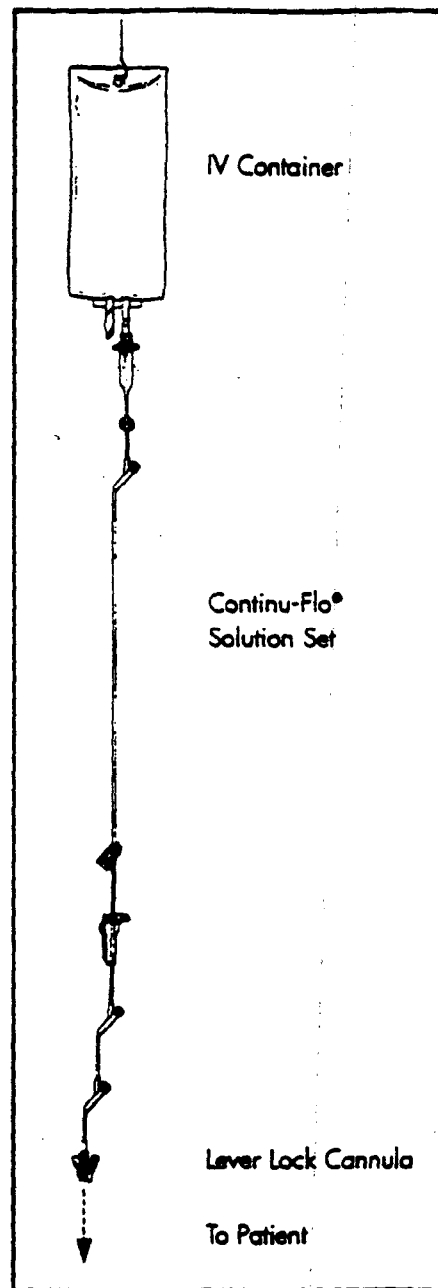
Always review directions on product packaging for step-by-step instructions prior to using product.

InterLink
IV ACCESS SYSTEM

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Continuous Therapy

To administer continuous IV therapy a Continu-Flo® Solution Set and lever lock cannula may be used.* Connect the IV set to the IV container and then attach the lever lock cannula to the distal end of the IV set. Prime set, purge air. Swab the injection site using approved technique prior to attaching the lever lock cannula to the injection site. Control flow using regulation clamp.



B-3

**Technique requires patient to have injection site in place.*

Always review directions on product packaging for step-by-step instructions prior to using product.

OPP001500

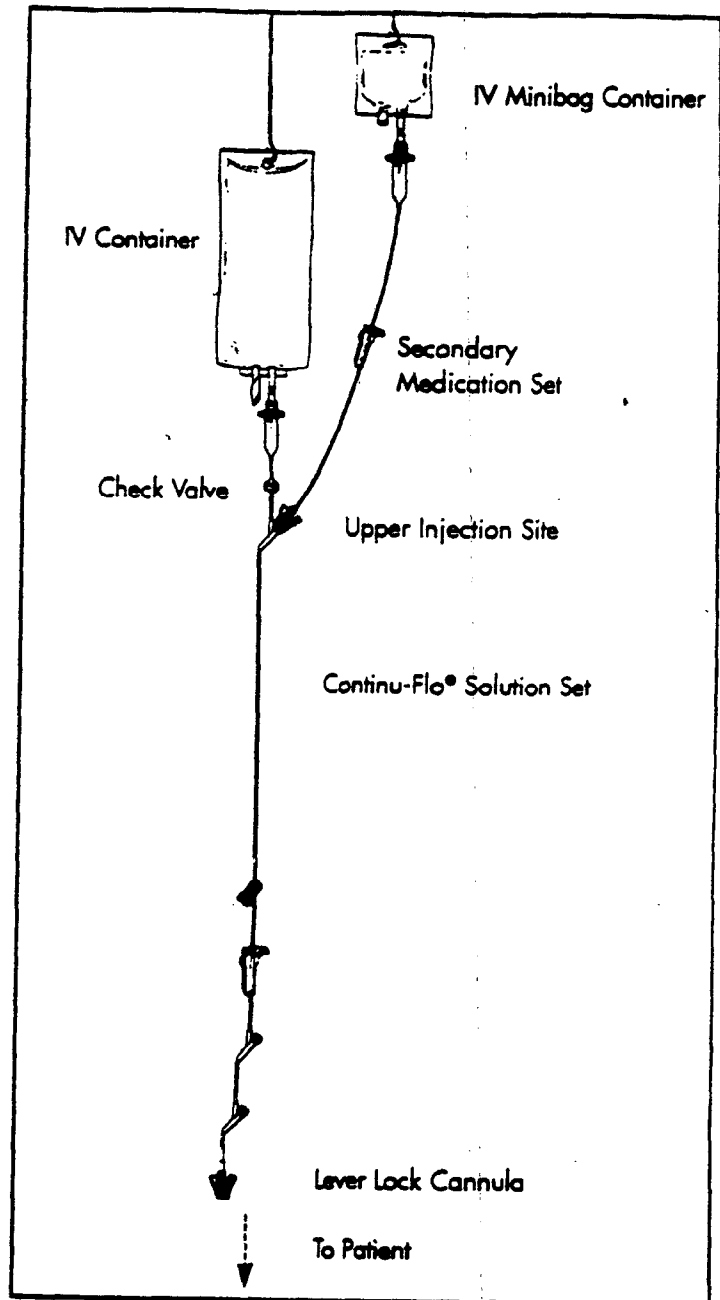
InterLink®
IV ACCESS SYSTEM

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Intermittent Therapy with Continuous IV Line

To administer intermittent therapy through a continuous IV line a Secondary Medication Set and a lever lock cannula may be used. Lower primary IV container (already primed and attached to an injection site) using hanger enclosed in secondary medication set packaging.

Connect secondary medication set to IV minibag container. Prime set, purge air. Swab the upper injection site of the Continu-Flo® Solution Set using approved aseptic technique and insert lever lock cannula. Fully open On/Off clamp on the secondary medication set and control flow with regulating clamp on Continu-Flo® Solution Set.



B-4

Always review directions on product packaging for step-by-step instructions prior to using product.

OPP001501

InterLink®
IV ACCESS SYSTEM

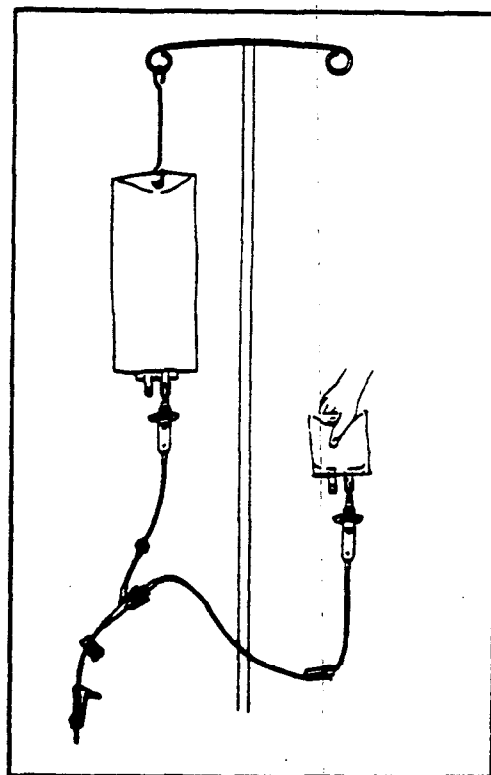
CONFIDENTIAL

Bottled Based Continuous IV Therapy

If a patient receives an IV solution that is supplied in a bottle, a vented IV set is required. Baxter code 2C6419 is available for this purpose. Many bottle based plasma expanders are supplied with their own vented IV sets. These IV sets may be used for gravity applications. However, if these bottle based solutions are to be put on the Baxter standard tubing pump, the Baxter vented set 2C6419 should be used.

Backpriming of Secondary Medication Set

Backpriming is a cost-saving technique that can save labor and set waste when delivering multiple intermittent doses or "minibag container" of medication through a continuous IV line. An inservice poster is available upon request. Please contact your Baxter representative.



B-5

OPP001502

Always review directions on product packaging for step-by-step instructions prior to using product.

InterLink
IV ACCESS SYSTEM

CONFIDENTIAL

2 2

2

15

InterLink System vs LifeShield™

USAGE COMPARISON

InterLink System	LifeShield System
<ul style="list-style-type: none"> ■ Easy to Distinguish Plastic Cannulas InterLink uses blunt plastic cannulas that are easily distinguished from steel needles. The nurse or doctor can immediately see the cannula is not sharp. 	<ul style="list-style-type: none"> ■ Steel Needle Confusion LifeShield uses regular steel needles with the points removed. They can be easily confused with sharp steel needles, causing unnecessary alarm or possible injury if used by mistake for a patient injection.
<ul style="list-style-type: none"> ■ Plastic Cannulas Not a "Sharp" InterLink Cannulas are rounded, smooth and all plastic. Plastic Cannulas will not scratch skin. 	<ul style="list-style-type: none"> ■ Blunt Steel Needle Best Handled as a "Sharp" LifeShield blunt needles are steel and can scratch the skin.
<ul style="list-style-type: none"> ■ Locking Cannula Options Full range of locking cannulas are available for safe I.V. connections. All feature blunt plastic to eliminate needlesticks. 	<ul style="list-style-type: none"> ■ Locking Cannula Locking version of LifeShield system uses a blunt steel needle that can scratch the skin.
<ul style="list-style-type: none"> ■ Site Highly Resistant to Coring The InterLink site is highly resistant to coring. Baxter recommends up to 200 penetrations with plastic cannula before replacing the site. 	<ul style="list-style-type: none"> ■ Site Prone to Coring The LifeShield septum begins to core after a limited number of uses. Testing indicates coring may begin after as few as ten penetrations with blunt steel needles.
<ul style="list-style-type: none"> ■ Needle Free Access to Any Single Dose Vial The InterLink Vial Access Cannula permits convenient needle free syringe filling from any single dose vial. 	<ul style="list-style-type: none"> ■ Special Single Dose Vial Required A special Abbott single dose vial is required to draw medication with the blunt steel needle.
<ul style="list-style-type: none"> ■ Technically Advanced System Designed as a completely new, technically advanced system for I.V. needlestick elimination. InterLink site automatically reseals itself maintaining a closed barrier. 	<ul style="list-style-type: none"> ■ Dated Technology Uses dated technology; regular steel needles with the points removed (available for 20 years), standard I.V. septums with an "X" cut.
<ul style="list-style-type: none"> ■ Proven Usage Experience Proven usage in almost 1,000 U.S. hospitals. Clinical studies document effectiveness in needlestick reduction. 	<ul style="list-style-type: none"> ■ Very Limited Usage Experience Limited number of hospitals using the system. No published studies documenting effectiveness in needlestick reduction.

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SLIDE 19 - DOCUMENTED SUCCESS

The InterLink system effectiveness has been documented in numerous published journal articles. See attached bibliography for examples. Two success stories in particular include.

Montefiore Hospital achieved an 88% reduction in IV related needlesticks

University of Minnesota showed no difference in infection rates with InterLink® injection sites vs. conventional injection sites.

These are just a few of many examples.

SLIDE 20 - INTERLINK® SYSTEM - EXTENSIVELY SUPPORTED

First, Baxter has a portfolio of inservice materials to meet the institutions specific education needs. Materials can be found in video, booklet or poster form.

Baxter has a product support line (Product Information Center) that customers can call with technical or clinical questions about our products.

Baxter has dedicated resources for customer service and a direct sales force to specifically support alternate site customers.

Finally, the InterLink system not only has the support of Baxter, a proven leader in the healthcare industry. But we have partnered with other proven companies: Becton Dickinson, Sanofi Winthrop and IMS to provide an integrated array of products to meet the needs of our customers.

SLIDE 21 - INTERLINK® SYSTEM - WIDELY ACCEPTED

Baxter is the leader in needleless systems having been in the market for six years. Today the InterLink® System is being used in over 1800 hospitals, far more than any other needleless alternative. InterLink® is also used in Homecare, Subacute, Long Term Care and Surgicenter sites of care.

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17

FDA SAFETY ALERT

"Hypodermic needles should only be used in situations where there is a need to penetrate the skin."¹

"... we strongly urge that needleless systems or recessed needle systems replace hypodermic needles for accessing I.V. lines."¹

IMS MIN-I-JET® SYRINGE with InterLink® SYSTEM CANNULA

NDC# 0548-	SIZE	PRODUCT DESCRIPTION	UNITS/BOX
*3038	5 mL	Atropine Sulfate, 0.5 mg	25
3039	10 mL	Atropine Sulfate, 1 mg	25
3004	10 mL	Calcium Chloride 10%, 1000 mg	25
3001	50 mL	Dextrose 50%	25
3016	10 mL	Epinephrine 1:10,000, 1 mg	25
*3190	5 mL	Lidocaine HCl 2%, 100 mg	25
*3192	5 mL	Lidocaine HCl 1%, 50 mg	25
*3193	10 mL	Lidocaine HCl 1%, 100 mg	25
*3901	10 mL	Morphine Sulfate, 1 mg/mL, 10 mg	25
*3031	10 mL	Sodium Bicarbonate 4.2%, 5 mEq	25
3002	50 mL	Sodium Bicarbonate 7.5%, 44.6 mEq	25
*3032	10 mL	Sodium Bicarbonate 8.4%, 10 mEq	25
3052	50 mL	Sodium Bicarbonate 8.4%, 50 mEq	25

¹FDA safety alert: needlestick and other risks from hypodermic needles on secondary I.V. administration sets — piggyback and intermittent I.V. Letter, April 16, 1992.

*NOT YET AVAILABLE

SEE YOUR IMS REPRESENTATIVE FOR AVAILABILITY DATES.



YOU HAVE JUST DISCOVERED THE MISSING LINK

from

"THE LEADER IN PREFILLED SYRINGE TECHNOLOGY"™

INTERNATIONAL MEDICATION SYSTEMS, LIMITED

OPP1138

The Missing Link is . . . Needleless Prefilled

Introducing **THE IMS MIN-I-JET®**

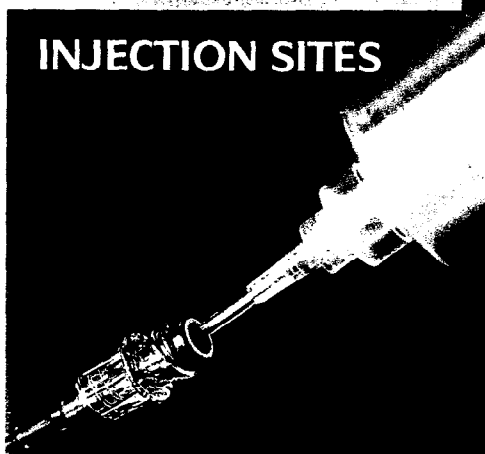
INTERNATIONAL MEDICATION SYSTEMS, LIMITED, BAXTER HEALTHCARE CORPORATION, and BECTON DICKINSON PHARMACEUTICAL SYSTEMS have formed a strategic association to offer you a needleless prefilled emergency syringe system. IMS, "The Leader in Prefilled Syringe Technology", is proud to offer our unique line of prefilled emergency syringes with InterLink® System cannula preattached for convenience and ease of use into all InterLink® I.V. Access System injection sites.

Y-SITE ACCESS



INTERLINK® SITES ARE IDENTIFIED BY A COLORED ALERT RING

INJECTION SITES



100% COMPATIBLE

"IMS MIN-I-JET® syringes with preattached InterLink® system cannula are totally compatible with all InterLink® I.V. Access System components"

IMS MIN-I-JET® with InterLink® System cannula

- Reduces accidental needlesticks before, during, and after use
- Reduces costs associated with needlestick injuries
- Preattached to provide ease of use and rapid administration in critical code situations
- Requires little change, the administration technique is similar to existing IMS MIN-I-JET® syringes

IMS

Baxter

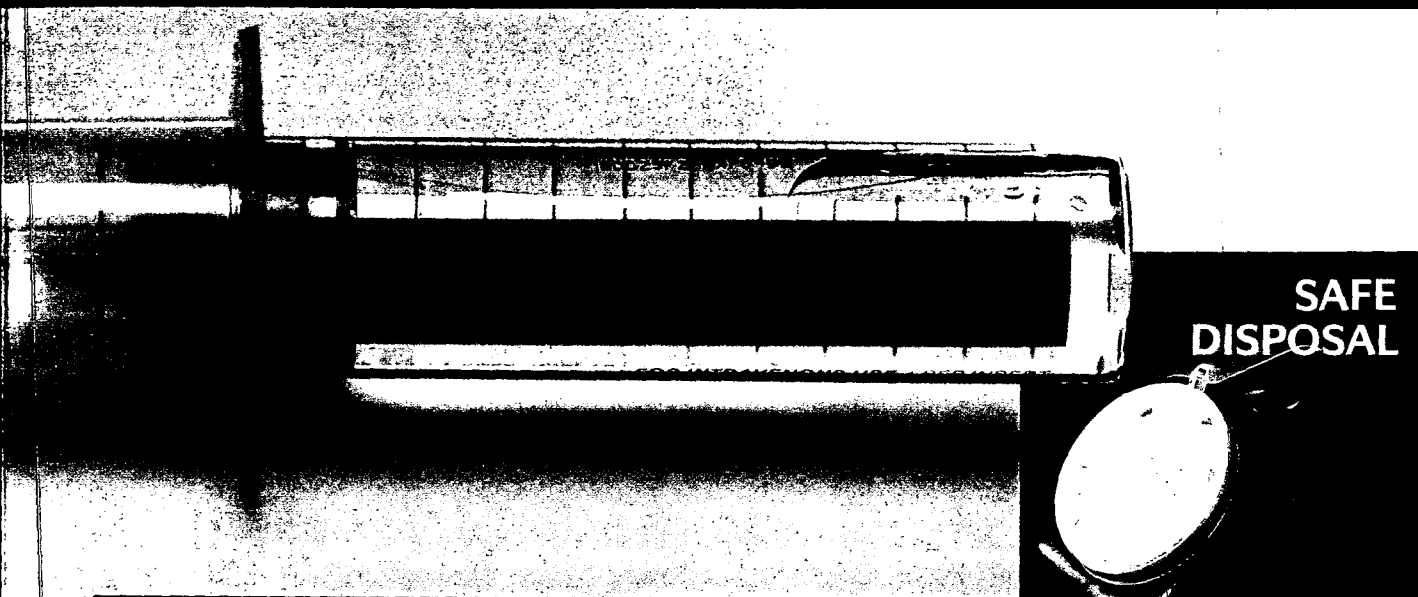
**BECTON
DICKINSON**

INTERNATIONAL MEDICATION SYSTEMS, LIMITED
1886 SANTA ANITA AVE., SO. EL MONTE, CALIFORNIA 91733, U.S.A.

MIN-I-JET® IS A REGISTERED TRADEMARK OF INTERNATIONAL MEDICATION SYSTEMS, LIMITED
INTERLINK® IS A REGISTERED TRADEMARK OF BAXTER INTERNATIONAL, INC. U.S. PAT. NO. D 172,170.8
©DECEMBER, 1992 INTERNATIONAL MEDICATION SYSTEMS, LIMITED

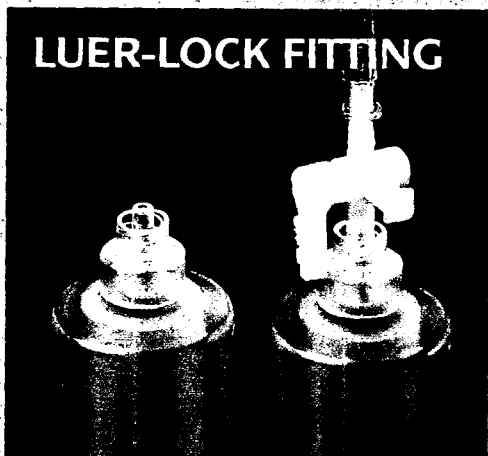
Emergency Syringes

SYRINGE with InterLink® System Cannula

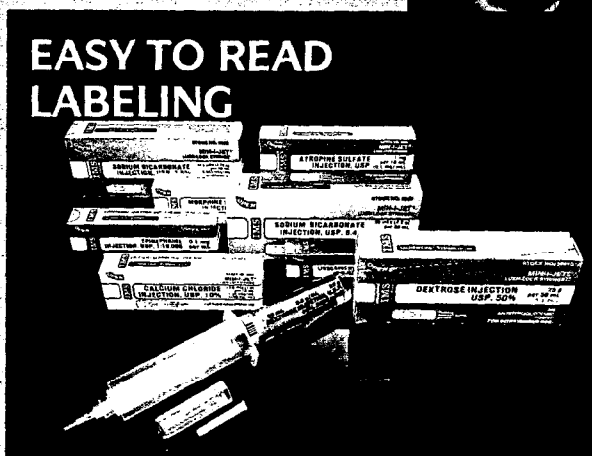


**SAFE
DISPOSAL**

LUER-LOCK FITTING



EASY TO READ LABELING



IMS MIN-I-JET® with InterLink® System cannula

- Provides total flexibility in clinical use
- Needleless cannula is removable to expose luer lock fitting
- Helps reduce dosing errors
- Colored carton and vial label aid in quick identification

- | | |
|------------------------------|----------------------------|
| • Atropine Sulfate, 1 mg | • Lidocaine, 2% |
| • Calcium Chloride, 10% | • Morphine Sulfate, 10 mg |
| • Dextrose, 50% | • Sodium Bicarbonate, 7.5% |
| • Epinephrine 1:10,000, 1 mg | • Sodium Bicarbonate, 8.4% |

To order or for further
information, contact your
IMS representative.
or call

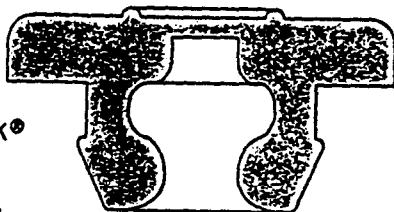
1-(800) 423-4136

18

Overview

The InterLink® Stopper extends the connectivity of the Baxter InterLink® System to unit dosage injectables.

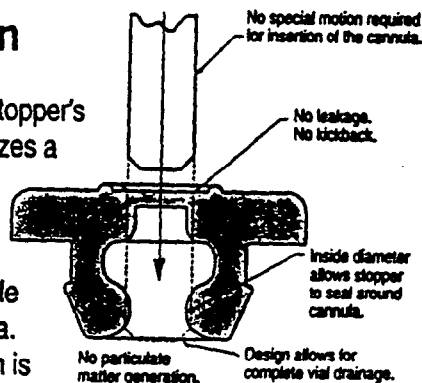
The InterLink® Stopper is engineered to accept penetration by either conventional needles or blunt cannulae, thus reducing needle stick injuries.



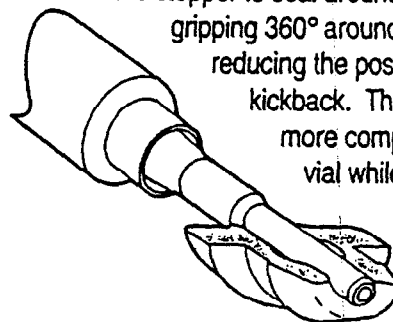
In testing key areas of pharmaceutical stopper performance – puncturability, leakage, coring, seal integrity and sprayback – the InterLink® Stopper's design provided results comparable to those routinely achieved with a conventional stopper and needle. This report will summarize the results of comparison tests performed by the West Technical Support Group.

Product Description

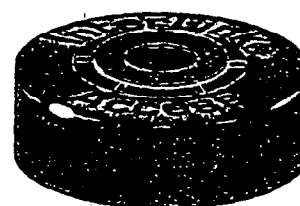
The InterLink® Stopper's configuration utilizes a thin diaphragm within the target ring which is readily puncturable by a blunt cannula. No special motion is needed to insert the cannula; it is held and inserted just as if it were a traditional syringe with needle. The diaphragm is thin enough to allow for insertion with less than 6 lbs. puncture force.



The InterLink® Stopper's unique plug design allows the stopper to seal around the cannula, gripping 360° around the diameter, thus reducing the possibility of leakage or kickback. The design facilitates more complete drainage of the vial while maintaining the cannula's stability during drug withdrawal.



Completing the closure system is the West D-I-D® System seal. Both the Flip-Off® button and the inner seal are printed with "InterLink® Access" in high visibility white against the dark blue button and the dark gray seal. The D-I-D System seal reinforces, at the point of use, the capability of the closure to accept both traditional needles and blunt cannulae of the InterLink® System.



The InterLink® Stopper is currently available in a 13mm serum configuration and can be manufactured in a broad range of West elastomer formulations.

InterLink® is a registered trademark of Baxter Healthcare. D-I-D and Flip-Off are registered trademarks of The West Company, Inc.

InterLink® Stopper patent pending.

OPP002752

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Amy Rockwell

Baxter

December 17, 1993

Ms. Katherine Muller
Director of Marketing
The West Company
101 Gordon Drive
Lionville, PA 19341-0645

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LAW DEPARTMENT
PATENTS AND TRADEMARK

Dear Katherine:

This letter is to document our various discussions over the past couple of months revolving around the companies' Co-marketing Letter Agreement dated October 13, 1992 (the "Co-Marketing Agreement"), which is attached as Exhibit A to this Letter Agreement. In view of the changing needs and expectations of the companies, The West Company ("West") and Baxter Healthcare Corporation ("Baxter") agree to the following:

1. Effective the date of this Letter Agreement, each of the Co-Marketing Agreement and the Trademark License agreement dated as of September 1, 1992 between Baxter and West is terminated and from and after that date neither Baxter nor West shall have any further rights or obligations thereunder, except as set forth in this Letter Agreement.
2. West shall refurbish any mold or other equipment it may own or possess to eliminate the InterLink trademark. However, such refurbishing shall not delay West from providing stopper product to Sanofi Winthrop.
3. West may distribute, in response to a specific customer request, the promotional brochure it has in inventory which uses the InterLink trademark. A copy of the promotional brochure is attached to this Letter Agreement as Exhibit B.
4. West shall not provide any stopper products with the InterLink trademark unless authorized by Baxter. Should a customer of West request the InterLink trademark be placed on the stopper product or request the use of the InterLink trademark in association with its purchase of the stopper product, West shall advise its customer that nonexclusive trademark licenses to the InterLink trademark are available from Baxter.

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axter

Ms. Katherine Muller
Director of Marketing
The West Company
Page 2

December 17, 1993

5. The U.S. and foreign ownership of and other rights pertaining to the invention embodied in U.S. patent application Serial No. 07/926,479 (the "invention") shall be as follows:

a. West and Baxter shall each own an undivided one-half interest in the Invention, and any patent rights that may be obtained in the U.S. or elsewhere (the "Patents"), with no duty to account to the other for any profits derived therefrom.

b. West and Baxter shall be free to develop, independent of one another, stopper configurations, so long as the designs developed do not incorporate or utilize confidential information of the other company.

c. As a consequence of such ownership rights, each shall be free to grant licenses and sublicenses on any such Patents.

d. Except as outlined in this letter, there shall be no restriction on either party to develop any stopper product, including products that constitute improvements on the invention.

e. Subject to clause (f) below, the parties shall cooperate with each other with respect to the prosecution and maintenance of any Patents, and the costs and expenses thereof shall be borne equally by the parties, except that in foreign jurisdictions where West declines to seek Patent protection, Baxter shall bear 100% of such costs and expenses.

f. Baxter shall inform West of the foreign jurisdictions in which it intends to seek Patent protection for the Invention. In each jurisdiction in which West does not desire

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Ms. Katherine Muller
Director of Marketing
The West Company
Page 3

December 17, 1993

Patent protection, West shall assign to Baxter all of its right, title and interest in and to such Patent.

g. The parties agree to execute such documents, agreements and instruments, and take all other action necessary of desirable to carry out the purposes and intent of the foregoing clauses. We believe the above accurately states the agreement reached between us.

Please indicate your agreement with these terms and conditions by signing the two original letters enclosed, returning one to me for Baxter's files.

Sincerely,



David Valentini
Director of Purchasing
Baxter Healthcare Corporation

* * * * *

AGREED TO AND ACCEPTED
this 30 day of December, 1993.

THE WEST COMPANY, INCORPORATED

By: Katherine A. Muller

Name: Katherine Muller

Title: Director of Marketing

cc: John R. Gailey III
Corporate Counsel & Secretary

WESTLTR.AGR

OPP002748

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Baxter

October 13, 1992

Mr. William Finley
Director of Marketing
The West Company
1041 West Bridge Street
Phoenixville, Pennsylvania 19460-0808

Dear Bill:

The purpose of this letter is to document the agreement which we have reached regarding the development and marketing of the InterLink™ stopper:

- 1) Baxter and West will jointly patent the stopper design compatible with the InterLink™ System. Baxter has assigned its rights to the patent to West.
- 2) After completion of development of the 13mm size, West will develop a 16.5mm and 20mm version of the InterLink™ stopper if market demand exists.
- 3) West and Baxter will co-market the stopper under the brand name Interlink™. Baxter will provide royalty-free use of the trademark for this purpose. West and Baxter will enter into a trademark license to cover West's use of the InterLink™ trademark.
- 4) West will sell the stopper as one component of a two piece closure system. An aluminum Flip-Off® seal with D-I-D™ printed button will accompany the stopper. The two pieces will be priced as a set. There are no restrictions as to whom the closure system can be sold. However, if a customer indicates an interest in purchasing the InterLink™ stopper without the closure system, then West and Baxter will work together to try to meet such customer's requirements.
- 5) The D-I-D™ identification on the seal sold with the Interlink™ stopper will read Needleless Access or InterLink™ Access. No brands competing with the Interlink™ System will be imaged.
- 6) In the event a customer has a stopper design purchased from a competitor and wishes to use a West D-I-D™ seal, West may provide any D-I-D™ seal printing, including names of competing brands to InterLink™.

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Mr. William Finley
Director of Marketing
The West Company
Page 2

October 13, 1992

- 7) West is not restricted from developing stopper designs for other customers which fall outside the InterLink™ patent application.
- 8) Baxter and West, along with B-D, will develop a joint marketing strategy which will support the broadest acceptance of the Interlink™ closure system.
- 9) West will not actively promote other systems or the use of the Interlink™ stopper with those systems. West will promote and market the InterLink™ stopper and closure system as its primary product or its first available product for the needleless access of drug vials. West may offer other needleless access products for drug vials when inquired of or requested by a customer.
- 10) Since the Interlink™ stopper will cannibalize existing stopper business and require investment by West, West will expect to receive a return through higher Interlink™ stopper prices and the expanded use of the D-I-D™ imaging system.

Bill, I believe this accurately summarizes our oral agreements. Please let me know if you have any corrections or additions. If not, please sign and return one of the two originals enclosed for our files. As does West, we look forward to a long and successful alliance!

BAXTER HEALTHCARE CORPORATION

By: 

Kevin Swan
Vice President and General Manager
I. V. Systems Division

Agreed to and accepted this 20th day of October, 1992

THE WEST COMPANY, INCORPORATED

By: 

William Finley
Director of Marketing

westkr.sgr

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*Your Key Component
to the InterLink® System.*

THE WEST COMPANY




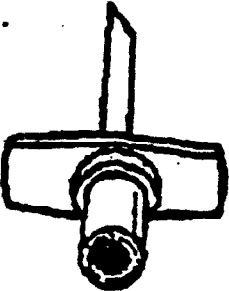
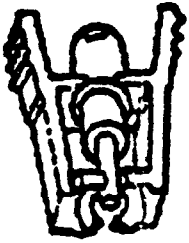
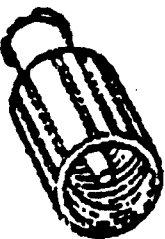


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19

DUKE UNIVERSITY InterLink®

I.V. ACCESS SYSTEM

 <p>InterLink® Injection Site 2N3389</p>	<ul style="list-style-type: none"> • While starting identify injection site as InterLink® • Replaces one way valve & red caps • Primes with .1cc saline • Attach to central line, stopcock, PCC Man, T-Connector, and end of catheter extension. • Attached to secondary cannula portion of Abbott Flume IV pump. • Accepts 200 punctures with plastic Cannula, & 20 punctures with a traditional needle. • Change every 72 hours. • Synthetic System 	 <p>Universal Vial Adapter 2N3395</p>	<ul style="list-style-type: none"> • Attaches to all vials providing an InterLink® site. Vials can then be accessed with InterLink® Syringe Cannula • For use with multi-dose vials • Discard every 72 hrs.
 <p>Lever Lock Cannula 303370</p>	<p>Adult Units</p> <ul style="list-style-type: none"> • Attach to end of I.V. Set, serves as a connection between I.V. tubing and InterLink® Inj. • For continuous & intermittent therapy • Administer Blood & Blood products: Is 15 gauge. 	 <p>Threaded Lock Cannula 303369</p>	<p>Pediatric & Emergency Units Only</p> <ul style="list-style-type: none"> • Attach to end of I.V. Set, serves as a connection between I.V. tubing and InterLink® Injection Site. • For continuous & intermittent I.V. Therapy • Administer Blood & Blood products: Is 15 gauge
 <p>InterLink® Syringe Cannula preattached to 3cc & 10cc syringe 303400 / 303404</p>	<ul style="list-style-type: none"> • 3cc & 10cc syringes will be available with InterLink® Metal Plastic Cannula preattached. • Apply positive pressure to plunger of syringe before removing Cannula from InterLink® Injection Site 	 <p>InterLink® Syringe Cannula 303368</p>	<ul style="list-style-type: none"> • Gauge size is 15 • Replaces traditional steel needles for non-invasive applications • Use for I.V. flushing, medication administration & drawing of blood from central & peripheral lines. • Syringe Cannula comes packaged separately and can be attached to any size syringe. • Apply positive pressure to plunger of syringe before removing Cannula from InterLink® Injection Site

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20

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Interlink System- Product Number 303367

78%

Interlink System Product Number: 303367 15 G BDTM

Interlink® vial access cannula (100/bx, 1000/ca) BD

20 Jan 03

Interlink® Vial Access Cannula The blue spike in ..

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Interlink System- Product Number 303369

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Interlink System Product Number: 303369 15 G BDTM

Interlink® threaded lock cannula (100/bx, 1000/ca)

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Interlink System- Product Number 303401

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Interlink System Product Number: 303401 15 G x 3 ml

BDTM syringe with Interlink® vial access cannula. (100/bx, 800/ca) BD Interlink® Vial Access ..

20 Jan 03

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Interlink System- Product Number 303405

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Interlink System Product Number: 303405 15 G x 10 ml

BDTM syringe with Interlink® vial access cannula. (100/bx, 400/ca) BD Interlink® Vial Access ..

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Interlink System- Product Number 303370 78%
Interlink System Product Number: 303370 15 G BDTM
Interlink® lever lock cannula (100/bx, 1000/ca) Interlink® 20 Jan 03
Lever Lock Cannula – Versatile locking .. [Find Similar](#)
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Interlink System- Product Number 303392 75%
Interlink System Product Number: 303392 5 ml BDTM
syringe w/BD Twinpak™ dual cannula device, consists of 20 Jan 03
a 20 G steel cannula fill needle & 17 G blunt .. [Find Similar](#)
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FNC=productlist__Alistproducts_html__303392 - 23.1KB - interlink: 20

Interlink System- Product Number 303345 74%
Interlink System Product Number: 303345 17 G BDTM
blunt plastic cannula (100/bx, 1000/ca) BDTM Blunt 20 Jan 03
Plastic Cannula – A Truly Universal Cannula Designed .. [Find Similar](#)
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Interlink System- Product Number 303346 74%
Interlink System Product Number: 303346 17 G x 3 ml
syringe BDTM blunt plastic cannula. (100/bx, 800/ca) 20 Jan 03
BDTM Blunt Plastic Cannula – A Truly Universal ... [Find Similar](#)
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syringe with BDTM blunt plastic cannula. (100/bx, 400/ca) 20 Jan 03
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Interlink System- Product Number 303348

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Interlink System Product Number: 303348 17 G x 10 ml
syringe with BDTM blunt plastic cannula. (100/bx, 400/ca)
BDTM Blunt Plastic Cannula – A Truly ..

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Interlink System- Product Number 303380

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Interlink System Product Number: 303380 BDTM blood
collection assembly consisting of a BD Vacutainer™ tube
and luer adapter with a pre-attached blunt ..

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**BD - Clinician - Healthcare Worker Safety - Products -
Infusion Therapy**

72%

BD - Becton Dickinson - health care workers safety products
for infusion therapy include IV catheters, infusion sets,
shielded introducers, cannula.

20 Jan 03

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72%

Interlink System Product Number: 303390 BD Twinpak™
dual cannula device, consisting of a 20 G steel cannula fill
needle and 17 G blunt plastic cannula. (.

20 Jan 03

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FNC=productlist_Alistproducts_html___303390 - 21.7KB - interlink: 16

Interlink System- Product Number 303391

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Interlink System Product Number: 303391 3 ml BDTM syringe
with BD Twinpak™ dual cannula device, consisting of a 20
G steel cannula fill needle and 17 G blunt ...

20 Jan 03

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Interlink System- Product Number 303393

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Interlink System Product Number: 303393 10 ml BDTM syringe with BD Twinpak™ dual cannula device, consisting of a 20 G steel cannula fill needle and 17 G ..

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BD TM Blunt Plastic Cannula Replaces Interlink® Syringe Cannula Dynamic design features dual side ports that create turbulence for thorough flushing of injection ..

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bd_blunt_plastic_cannula_lit.pdf - 248.3KB - interlink: 5

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132 • Insert BD Blunt Plastic Cannula into vial adapter (Interlink®, LifeShield® or SafeLine™) or vials designed for needleless access to fill a syringe. Use normal protocol • Dual ..

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<http://www.bd.com/injection/products/pdf/blunt.pdf> - 171.7KB - interlink: 3

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BD TM Blunt Plastic Cannula QUICK REFERENCE CARD

BD TM Blunt Plastic Cannula QUICK REFERENCE CARD

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12 • Insert BD Blunt Plastic Cannula into vial adapter (Interlink®, LifeShield® or ..

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